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Bureau of Justice Statistics

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Bureau of Justice Statistics Bulletin

Prisons and Prisoners

Inmates of State prisons are predominantly poor young adult males with less than a high school education. Prison is not a new experience for them; they have been incarcerated before, many first as juveniles. The offense that brought them to prison was a violent crime or a burglary. On the average, they have already served 1 1/2 years on a maximum sentence of 8 1/2 years. Along with a criminal history, they have a history of drug abuse and are also likely to have a history of alcohol abuse. They are typically housed in a maximum or medium security prison where they are likely to be sharing their living space with at least one other person.

January 1982

This bulletin is the second to be issued by the Bureau of Justice Statistics based on the November 1979 Survey of Inmates of State Correctional Facilities and its companion Census of State Correctional Facilities. Topics covered by these two data sources include demographic and socioeconomic characteristics of inmates, criminal histories, adjudication histories for current offenses, drug and alcohol histories, veteran's status, conditions of confinement, physical conditions of prison facilities, degree of prison security, prison capacities, overcrowding, prison staff, health care, and inmate programs.

To permit maximum use of these data, the Bureau of Justice Statistics has placed public-use data tapes in the criminal justice data archive of the Inter-University Consortium for Political and Social Research at the University of Michigan. For information on acquiring machine-readable data files, call the archive staff at 313/763-5010.

Benjamin H. Renshaw III
Acting Director

1979 prison census and inmate survey

This sketch of State prison inmates is drawn from information collected during a census of each of the 791 correctional facilities operated by the 50 States and the District of Columbia and a sample survey conducted by a personal interview with more than 12,000 State prison inmates across the country. The Census of State Correctional Facilities and the Survey of Inmates were both conducted for the Bureau of Justice Statistics by the U.S. Bureau of the Census in late 1979. These studies, in general, confirm the findings of similar studies conducted 5 years earlier, while at the same time identifying certain changes in the characteristics of prison populations that have taken place in the intervening years.

The basic consistency in the findings for 1974 and 1979 suggest that these data represent a reasonably accurate portrait of State prisoners in 1982. The picture of confinement and crowding is a less accurate portrayal of the situation in early 1982. State prison populations have risen 18% since the 1979 study was conducted without a commensurate increase in prison space. Consequently, space shortages in State prisons are considerably more acute than the 1979 data indicate.

Prisoner characteristics not typical of general population

The racial composition of State prison populations in 1979 had not changed significantly from that recorded 5 years earlier. Blacks, who made up 12% of the total U.S. population, accounted for 48% of the prison population; whites accounted for 50%; other racial groups, 2%. The number of Hispanic prisoners, however, doubled during the 5 years and in 1979 they represented 9% of all State prisoners. The rate of growth for females was substantially higher than for males, yet females represented only 4% of the prisoners, about the same as in 1974.

The largest group of the inmates, young people from 18 to 29 years of age, accounted for 63% of the population. Less than 1% of the inmates were under 18; only 4% were over 50. In 1979 as in 1974, the median age of inmates was 27.

Education and income low

The 1979 inmates were somewhat better educated than their 1974 counterparts, but nearly 3 out of every 5 had not completed high school. As a group, they averaged 11.2 years of schooling. The lack of a high school diploma undoubtedly contributed to their employment problems and low income during the year prior to the arrest that led to incarceration. Only 60% had been working full time. Among the 30% who had no job, full- or part-time, half were not looking for work. Among inmates admitted to prison after November 1977, one-fifth had no income in the 12 months prior to arrest and another fifth had earned less

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than $3,000.[1] For this group as a whole, the median annual income for the year prior to arrest was $6,660, far lower than the 1979 national median for males, $10,972.

Most offenders violent

In 1979, 57% of the of State prisoners had been convicted of violent crimes compared with 52% 5 years earlier. Among the violent offenders, 30% had committed murder, attempted murder, or manslaughter and 45%, robbery. Roughly a third of all inmates were convicted of property crimes; more than half of these were burglars. Three-fourths of the State prison inmates had used drugs, but 7% were in prison because of a drug offense, compared with 10% in 1974. This slight drop may be attributable to decriminalization of certain marijuana offenses by some jurisdictions as well as to increased prosecutorial attention to violent crime cases.

Reflecting the more serious nature of their crimes, prisoners in 1979 were serving somewhat longer sentences than those in 1974. In 1979, 54% of those reporting sentence length had received a maximum sentence of 10 years or more compared to 50% in 1974. Ten percent of the 1979 inmates were serving life sentences. Only 1 inmate in 3 had not served time previously. Of those with a record of prior incarceration, half began that record while still legally a juvenile and over a third had prior incarcerations as both juveniles and adults. The proportion of inmates who were recidivists was the same in 1979 as in 1974, specifically 64%.

Selected characteristics of State inmates, November 1979

Characteristic	Number	%
Total	274,564	100.0
Age at survey		
Under 30	173,093	63.0
30 and over	101,471	37.0
Median	27.3	NA
Sex		
Male	263,484	96.0
Female	11,080	4.0
Race		
White	136,296	49.6
Black	131,329	47.8
Other	6,939	2.5
Ethnicity		
Hispanic	25,816	9.4
Non-Hispanic	248,748	90.6
Prior incarceration record		
With prior incarceration	175,473	63.9
Juvenile only	21,666	7.9
Adult only	79,652	29.0
Both	62,476	22.8
Not available	11,680	4.3
Without prior incarceration	97,866	35.6
Not available	1,225	0.4
Current offense		
Violent	157,742	57.5
Murder & attempted murder	37,352	13.6
Manslaughter	10,941	4.0
Sexual assault	17,053	6.2
Robbery	68,324	24.9
Assault	17,554	6.4
Other	6,517	2.4
Property	85,562	31.1
Burglary	49,687	18.1
Larceny	13,018	4.7
Auto theft	5,138	1.9
Forgery, fraud, embezzlement	11,894	4.3
Other	5,825	2.1
Drug	19,420	7.1
Public order	10,982	4.0
Unspecified	859	0.3

Characteristic	Number	%
Maximum sentence length		
Less than 5 years	56,517	20.6
5 to 9 years	63,775	23.2
10 to 14 years	39,062	14.2
15 to 19 years	24,211	8.8
20 to 97 years	46,015	16.8
98 years or more	2,143	0.8
Median	103.6	NA
Life	27,740	10.1
Death	1,270	0.5
Not available	13,832	5.0
Time served on current offense		
Less than 1 year	95,634	34.8
1 to 1.9 years	63,595	23.2
2 to 2.9 years	40,133	14.6
3 to 3.9 years	24,273	8.8
4 to 4.9 years	16,338	6.0
5 to 9.9 years	27,344	10.0
10 years or more	6,057	2.2
Median (in months)	18.0	NA
Not available	1,191	0.4
Education		
Less than 12 years	159,340	58.0
12 years or more	115,224	42.0
Median	11.2	NA
Prearrest employment status		
Employed	192,800	70.2
Full-time	165,577	60.3
Part-time	27,223	9.9
Not employed	81,005	29.5
Looking for work	38,230	13.9
Not looking for work	42,433	15.5
Not available	342	0.1
Not available	759	0.3
Prearrest annual income		
Total [1]	25,940	100.0
With income	20,172	77.8
Less than $3,000	4,982	19.2
$3,000-$9,999	7,834	30.2
$10,000 or more	6,457	24.9
Don't know	899	3.5
Median	$6,660	NA
Without income	5,768	22.2

NOTE: Detail may not add to totals shown because of rounding.
NA Not applicable.

[1]Includes only persons admitted after November, 1977.

Drug and alcohol abuse common

More than half of the State inmates had been regular users sometime in their lives. Among drug users 40% had been heroin addicts; most of the others had been habitual users of marijuana. Among prisoners who said they had used drugs only occasionally (23%), most were marijuana users, but 8% of all inmates said they had used heroin occasionally. About half the inmates drank daily or almost daily in the year before their arrest. Most had done so heavily, consuming the equivalent of 8 cans of beer, 7 glasses of wine, or 10 ounces of hard liquor. Another 26% drank weekly. Some 18% said they did not drink at all. About half of all inmates admitted to drinking, most of them heavily, just prior to the offense that brought them to prison.

Most held in secure prisons

Almost all the inmates were held in traditional, secure-confinement institutions; only 4% were in relatively open facilities providing access to community resources.[2] Of the total 223 community-based facilities in the United States, Florida accounted for more than twice as many (38) as any other State. In some States, however, such residences may be operated through agencies other than the Department of Corrections. Of the Nation's 568 confinement facilities, the largest single group (73) was in North Carolina; on the average, however, that State's facilities had a lower capacity than those in most other jurisdictions.[3] Texas held the largest number of inmates (26,290), followed by California (22,745) and Florida (19,554).

Confinement conditions vary

The largest group of inmates in confinement institutions (42%) was held under maximum security conditions; 37% under medium security; 19% under

[1]Income data were restricted to persons admitted to prison after November 1977 in order to minimize the extent to which inflation distorts the comparability of incomes earned in different years.

[2]In the 1979 census, a correctional facility was considered a community-based residence rather than a confinement institution if at least half the residents were regularly permitted (or eligible) to depart unaccompanied for the daily use of community resources, such as schools or treatment programs, or for seeking or holding employment.

[3]Details on facility capacity will be presented in a subsequent report.

Number of facilities and inmates, by type of facility, security level, region, and State, November 1979

Region and State	All facilities		Confinement facilities							Community-based facilities	
				Inmates							
	Facilities	Inmates	Facilities	Total	Maximum	Medium	Minimum	Not classified	Other	Facilities	Inmates
United States	791	274,563	568	263,553	109,738	98,189	51,193	3,616	817	223	11,010
Northeast	115	41,620	85	40,700	19,630	14,933	4,869	1,040	228	30	920
Maine	5	684	3	637	382	168	87	0	0	2	47
New Hampshire	3	299	1	281	20	233	28	0	0	2	18
Vermont	6	376	6	376	95	132	113	36	0	0	0
Massachusetts	19	2,712	13	2,453	798	1,209	386	13	47	6	259
Rhode Island	6	741	5	673	285	108	123	119	38	1	68
Connecticut	10	3,831	10	3,831	1,065	2,664	102	0	0	0	0
New York	33	19,426	30	19,199	10,233	7,589	1,377	0	0	3	227
New Jersey	9	5,919	8	5,890	3,504	239	1,369	778	0	1	29
Pennsylvania	24	7,632	9	7,360	3,248	2,591	1,284	94	143	15	272
North Central	157	61,682	101	59,399	23,080	23,787	11,340	1,183	9	56	2,283
Ohio	13	13,362	10	13,278	3,119	7,935	1,531	693	0	3	84
Indiana	16	5,672	10	5,431	2,947	1,645	736	103	0	6	241
Illinois	21	11,627	12	11,219	3,565	5,158	2,128	368	0	9	408
Michigan	40	14,018	25	13,347	6,022	3,550	3,775	0	0	15	671
Wisconsin	16	3,353	10	3,168	1,402	1,168	588	1	9	6	185
Minnesota	7	2,030	5	1,987	1,016	827	144	0	0	2	43
Iowa	15	2,202	8	1,960	828	936	196	0	0	7	242
Missouri	9	5,189	7	5,012	2,342	1,427	1,232	11	0	2	177
North Dakota	2	235	2	235	186	40	9	0	0	0	0
South Dakota	2	587	2	587	411	175	1	0	0	0	0
Nebraska	8	1,193	4	1,029	352	255	415	7	0	4	164
Kansas	8	2,214	6	2,146	890	671	585	0	0	2	68
South	405	128,753	292	121,708	54,711	42,049	23,642	728	578	113	7,045
Delaware	6	1,370	5	1,325	193	794	143	187	8	1	45
Maryland	18	7,961	13	7,429	2,086	3,913	1,427	0	3	5	532
District of Columbia	8	2,245	5	2,070	809	1,089	167	0	5	3	175
Virginia	42	8,296	38	8,050	2,609	3,976	1,454	11	0	4	246
West Virginia	7	1,263	4	1,211	144	907	124	36	0	3	52
North Carolina	84	14,732	73	13,931	1,304	6,664	5,866	97	0	11	801
South Carolina	32	7,061	23	6,220	1,383	2,117	2,573	147	0	9	841
Georgia	25	9,451	18	9,033	4,153	3,263	979	77	561	7	418
Florida	77	19,554	39	17,681	8,516	5,234	3,866	64	1	38	1,873
Kentucky	10	3,680	10	3,680	780	2,133	767	0	0	0	0
Tennessee	13	6,522	8	6,024	1,346	3,936	736	6	0	5	498
Alabama	21	3,832	9	3,215	426	1,825	958	6	0	12	617
Mississippi	10	2,389	7	2,310	1,278	0	1,032	0	0	3	79
Arkansas	7	3,015	5	2,805	2,445	265	95	0	0	2	210
Louisiana	7	6,611	7	6,611	1,129	3,213	2,172	97	0	0	0
Oklahoma	21	4,481	11	3,823	1,331	1,668	824	0	0	10	658
Texas	17	26,290	17	26,290	24,779	1,052	459	0	0	0	0
West	114	42,508	90	41,746	12,317	17,420	11,342	665	2	24	762
Montana	2	703	2	703	335	187	138	43	0	0	0
Idaho	3	801	3	801	407	201	193	0	0	0	0
Wyoming	3	482	3	482	33	309	140	0	0	0	0
Colorado	9	2,241	7	2,189	1,129	442	496	122	0	2	52
New Mexico	5	1,511	2	1,299	164	898	237	0	0	3	212
Arizona	9	3,277	5	3,197	1,413	758	1,026	0	0	4	80
Utah	5	993	2	917	169	224	490	34	0	3	76
Nevada	6	1,547	5	1,532	305	929	298	0	0	1	15
Washington	12	3,884	9	3,781	2,204	632	945	0	0	3	103
Oregon	10	2,975	6	2,879	2,143	57	679	0	0	4	96
California	32	22,745	30	22,645	3,654	12,315	6,465	211	0	2	100
Alaska	9	592	9	592	256	200	130	5	1	0	0
Hawaii	9	757	7	729	105	268	105	250	1	2	28

minimum security; and 2% either not classified or categorized in a different manner. The proportion of inmates held in maximum security facilities, which have extremely high operating cost, ranged from 94% in Texas to less than 10% in New Hampshire, North Carolina, and Wyoming. In 14 States more than half of all prisoners were confined in maximum security institutions.

If 60 square feet per person is used as a standard, then 58% of all one-person cells, 90% of all two-person cells, and 20% of all larger living units in traditional prisons were overcrowded. No State avoided placing at least some of its inmates into space that was less than 60 square feet per person. The 39 States with community-based facilities generally did not have as severe a problem with overcrowding in these facilities as they did among their secure institutions.

The most common confinement unit

in each State was the one-person cell. Overcrowding occurs in these units when the cell contains less than 60 square feet or more than one person. Two States, Arkansas and South Dakota, had no overcrowded one-person cells, but at least 97% of the one-person cells were overcrowded in Mississippi, North Dakota, Texas, West Virginia, and Wyoming.

Slightly more than 97,000 persons were employed in State correctional facilities in 1979; more than 97% of them were employed full time. The total number of correctional personnel increased by some 60% during 1974-79, with a resultant decline from 3.2 to 2.9 in the number of inmates per full-time staff member. Among traditional confinement units, there were 58,700 full-time employees with direct responsibility for inmate supervision. On the average, each of these employees was responsible for 4.5 inmates, but the number ranged from 2.1 in Rhode Island to 13.7 in Texas.

Bureau of Justice Statistics bulletins are prepared principally by the staff of the Bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins; Marilyn Marbrook, head of the Bureau publications unit, administers their publication, assisted by Julie A. Ferguson. This bulletin is based on material developed by Mimi Cantwell of the Bureau of the Census.

NCJ-80697, January 1982

Further reading

The first release of data from the November 1979 Survey of Inmates of State Correctional Facilities and its companion Census of State Correctional Facilities was the Veterans in Prison bulletin, October 1981, NCJ-79232. The most recent prison population data was released in the Prisoners at Midyear 1981 bulletin, September 1981, NCJ-78756.

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Bureau of Justice Statistics Bulletin

Federal Justice Statistics

March 1982

Fifty years ago the Wickersham Commission, this country's first national crime commission, published a report on criminal justice statistics, noting as a basic principle that accurate statistics are a key to understanding and improving the administration of justice. The 1931 report, bearing the name of a former Attorney General, noted also that such statistics did not exist: "Accurate data are the beginning of wisdom in such a subject, and no such data can be had for the country as a whole, nor have they even been available hitherto with respect to many of the activities of the Federal government in the enforcement of Federal laws."

A comprehensive Federal transaction data base would reflect all transactions occurring in the investigative, prosecutorial, judicial, and correctional segments of the criminal justice system that describe successive actions taken with respect to the same criminal event. Ironically, while the Federal government has over the past decade encouraged and assisted the States in developing comprehensive State-level transaction data, the Federal justice system itself has not experienced comparable progress toward that end. There exists no body of comprehensive statistics about Federal offenders and little information about the flow of cases from Federal investigators to U.S. Attorneys and on through the Federal court and corrections systems.

Felix Frankfurter opened a study which he and Roscoe Pound directed in 1921-22, of the administration of criminal justice in Cleveland, Ohio with the following words: "The inquiry had two aims: first, to render an accounting of the functioning of this system, to the fullest extent that social institutions are as yet adapted to statistical appraisal; and, second, to trace to their controlling sources whatever defects in the system the inquiry disclosed." The then Professor of Administrative Law and then Dean of the Harvard Law School placed at the heart of their "scientific study," the examination of 3,236 case records of "individual offenders" who passed through the Cleveland courts in 1919 and of 1,322 "prisoners in the workhouse" whose sentences were terminated during 6 months of 1920.

In the intervening years many lawyers and social scientists have followed the methodological precedent of Pound and Frankfurter, recognizing the enormous diagnostic power of processing or transaction data in understanding the "defects" of our present-day, but often little-changed, criminal justice systems.

One of the most important legacies of the statistical programs conducted by the Law Enforcement Assistance Administration in the last decade was the progress made by States and cities in developing what are called offender-based transaction statistics, frequently in conjunction with computer-based information systems also linked to criminal history information.

With the establishment of the Bureau of Justice Statistics in 1979 came the statutory responsibility to expand our "statistical appraisal" to Federal justice systems. We embark on this effort recognizing all the sensitivities that surround such an enterprise--separation of powers, matters of accountability, privacy and confidentiality of data, conflicting goals and objectives. Yet the obligation to view the Federal system as a whole and "to render an accounting of the functioning of this system" is there; with a grateful acknowledgment of the help we have received from the Federal agencies named here, this bulletin initiates our efforts to meet that obligation.

Benjamin H. Renshaw III
Acting Director

Comprehensive criminal justice statistics: Uses, barriers, and methods

Statistics describing the components of State criminal justice systems are now routinely maintained at the State level. Although the systems vary in comprehensiveness and data quality from State to State, they have become increasingly important in every jurisdiction as the needs have increased for improved criminal justice planning, fiscal control, policy assessment, and response to legislative requests for information (for example, to analyze the impact of determinate sentencing systems).

The needs to plan, to support the fiscal process, to assess policy, and to respond to legislative inquiry exist as well at the Federal level. The data to meet these needs, however, have not been maintained at the Federal level as they have at the State level.

Improved justice statistics for the Federal system are needed for more than planning, control, and policy assessment at the Federal level. They are

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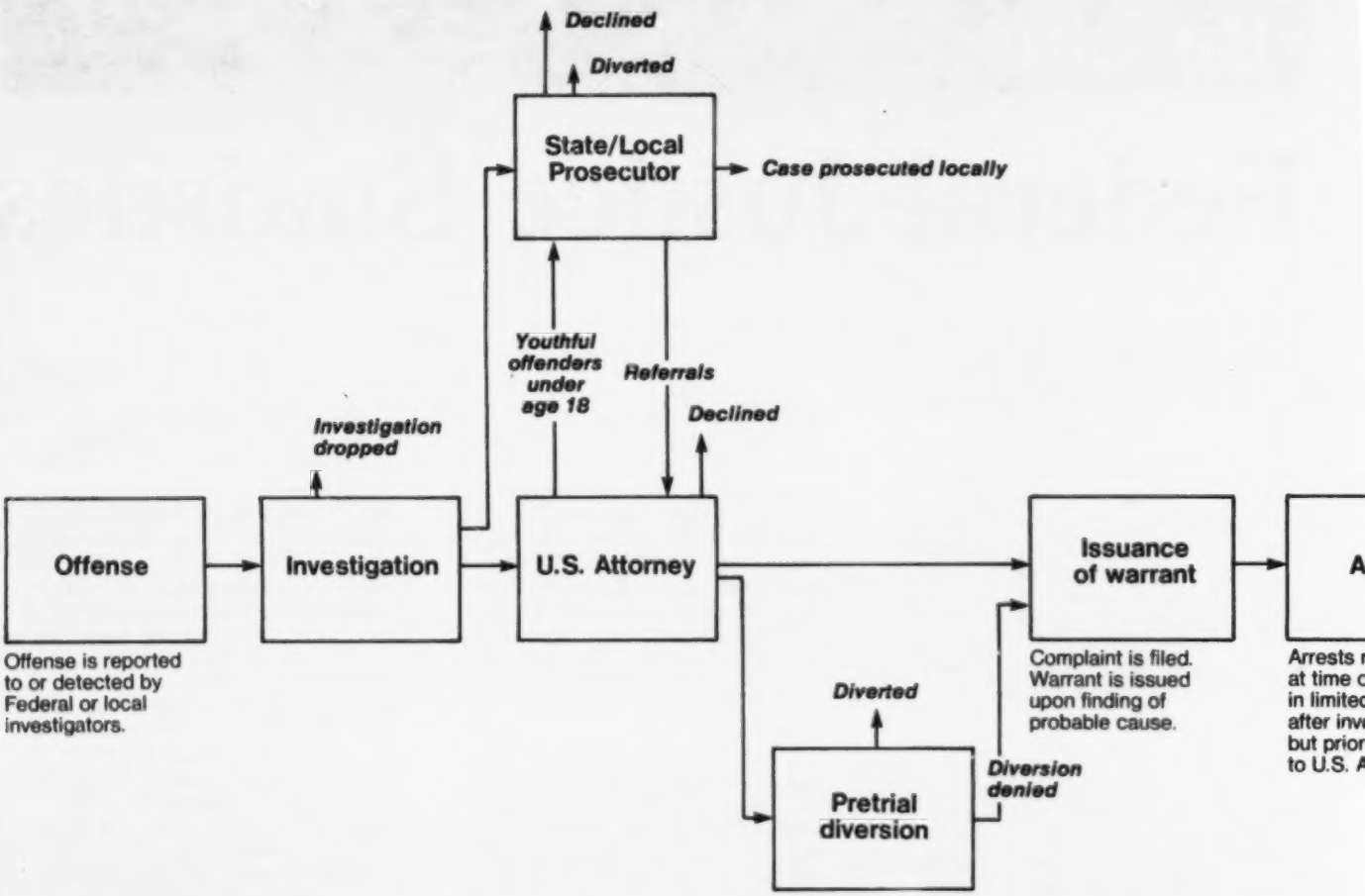
The Federal Criminal Justice Case Proce



Federal Criminal Justice Data Sources

Data sets listed are routinely maintained by Federal agencies. Other data sets exist or have been developed to support special-purpose projects or studies.

Investigative data files

Federal Bureau of Investigation

Drug Enforcement Administration

Secret Service

Postal Inspection Service

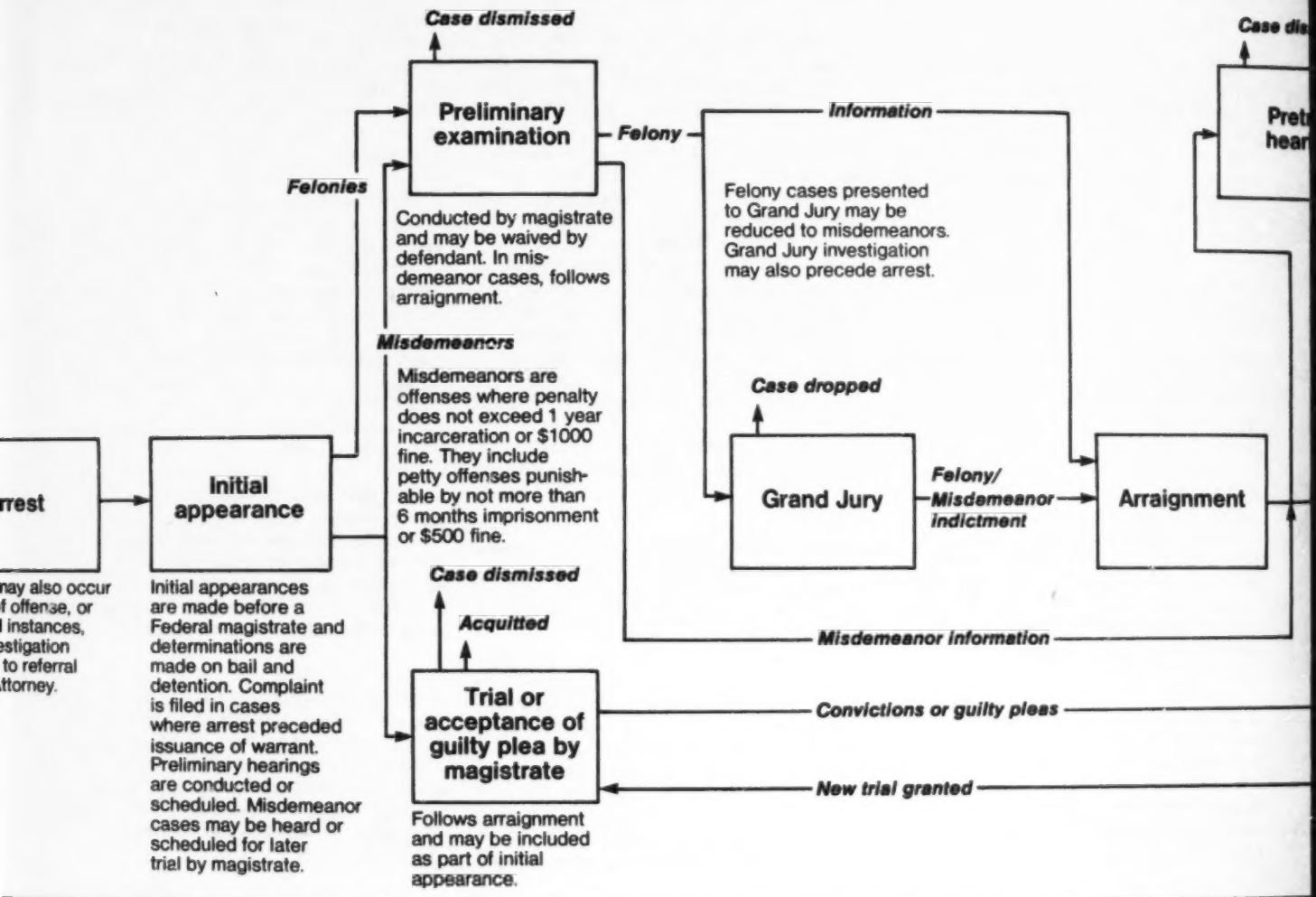
Bureau of Alcohol, Tobacco, and Firearms

U.S. Attorney data files

Docket and Reporting System

Prosecutor's Management Information System (PROMIS)

ssing System


Case dismissed
Preliminary examination
Felony
Information
Felonies
Conducted by magistrate and may be waived by defendant. In misdemeanor cases, follows arraignment.
Felony cases presented to Grand Jury may be reduced to misdemeanors. Grand Jury investigation may also precede arrest.
Misdemeanors
Misdemeanors are offenses where penalty does not exceed 1 year incarceration or $1000 fine. They include petty offenses punishable by not more than 6 months imprisonment or $500 fine.
Case dropped
Grand Jury
Felony/ Misdemeanor indictment
Arraignment
rrest
Initial appearance
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Initial appearances are made before a Federal magistrate and determinations are made on bail and detention. Complaint is filed in cases where arrest preceded issuance of warrant. Preliminary hearings are conducted or scheduled. Misdemeanor cases may be heard or scheduled for later trial by magistrate.
Case dismissed
Acquitted
Misdemeanor information
Trial or acceptance of guilty plea by magistrate
Convictions or guilty pleas
New trial granted
Follows arraignment and may be included as part of initial appearance.

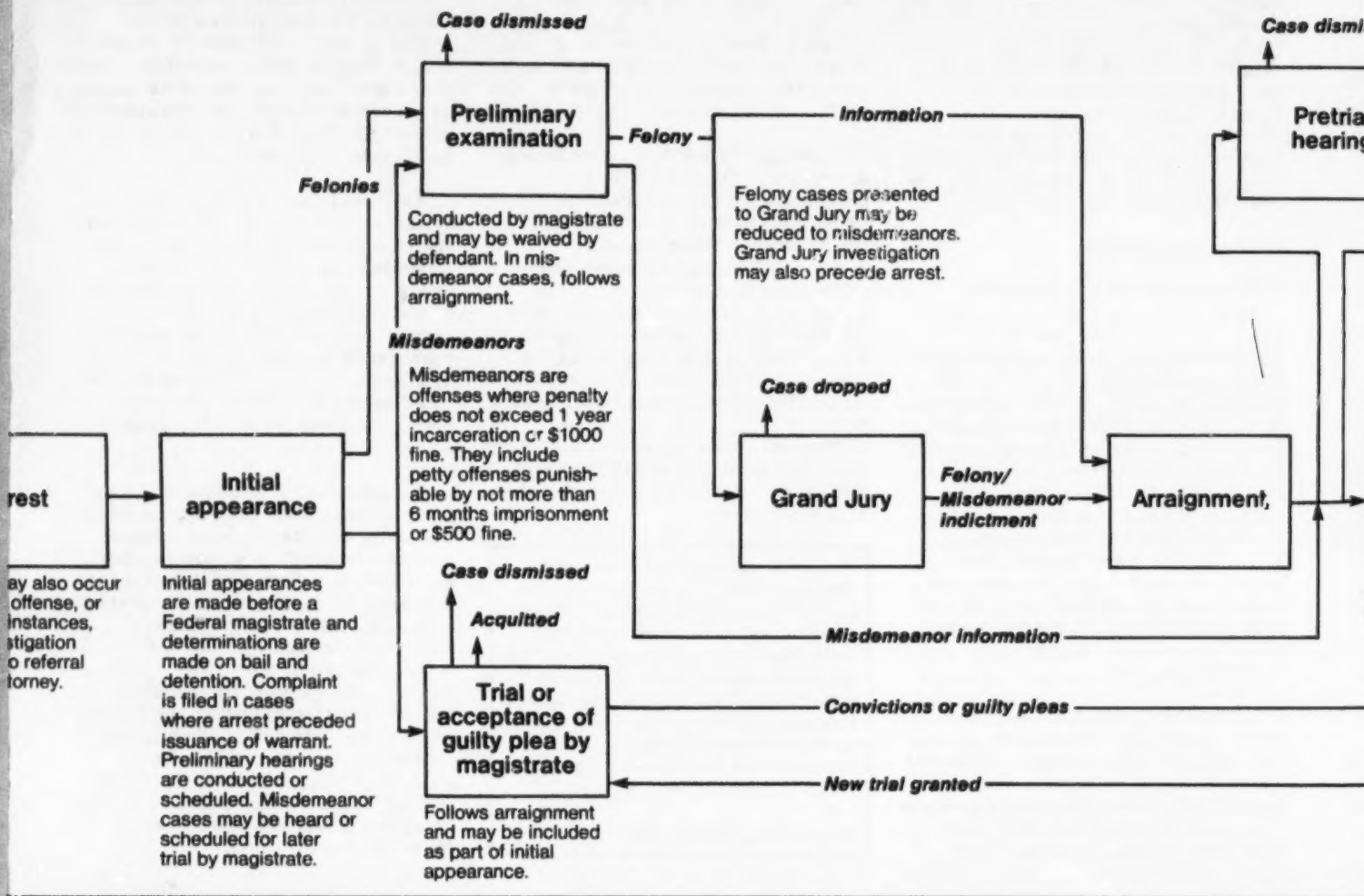
Adjudicatory data files

Administrative Office of U.S. Courts filing and termination tapes

Court Dockets from Courtran System maintained by the Federal Judicial Center in selected Districts

Pretrial Services Agency (AOUSC) bail ("Speedy Trial") data

ssing System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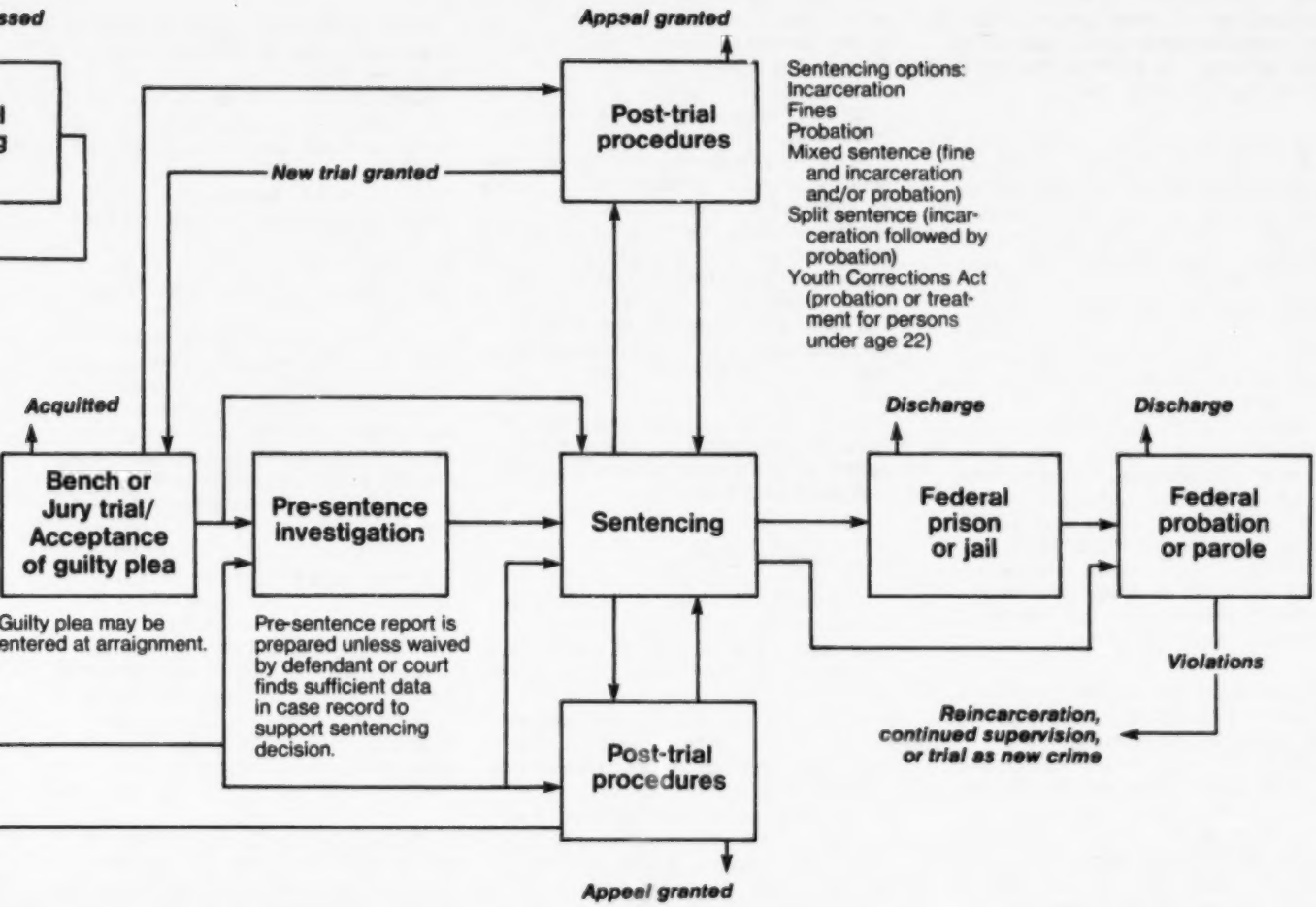
ssed
Appeal granted
Post-trial procedures
New trial granted
Sentencing options:
Incarceration
Fines
Probation
Mixed sentence (fine and incarceration and/or probation)
Split sentence (incarceration followed by probation)
Youth Corrections Act (probation or treatment for persons under age 22)
Acquitted
Discharge
Discharge
Bench or Jury trial/ Acceptance of guilty plea
Pre-sentence investigation
Sentencing
Federal prison or jail
Federal probation or parole
Guilty plea may be entered at arraignment.
Pre-sentence report is prepared unless waived by defendant or court finds sufficient data in case record to support sentencing decision.
Violations
Reincarceration, continued supervision, or trial as new crime
Post-trial procedures
Appeal granted

Sentencing data files

Administrative Office of U.S. Courts

Docket and Reporting System (U.S. Attorneys)

Correctional data files

Bureau of Prisons inmate data

U.S. Parole Commission parole data

Bureau of Justice Statistics
March 1982

also essential to enable Federal authorities to respond to Attorney General William French Smith's directive to enhance coordination between the Federal and State and local criminal justice systems by establishing Law Enforcement Coordinating Committees. A prerequisite to effective coordination is a basic understanding of the relative magnitudes of case flow from one stage of Federal criminal case processing to adjacent stages.

Barriers to developing comprehensive justice statistics that have been confronted at the State level exist at the Federal level as well. Independent data systems have been developed and maintained by Federal investigative agencies, the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, the Federal Prison System, and ancillary Federal agencies. As a result, data definitions vary from agency to agency, as do reporting periods and crime classification schemes. These barriers make the prospect of developing a comprehensive Federal transaction data base incorporating the various data sets maintained by Federal agencies fairly difficult, at least for the near term. They also limit the inferences to be drawn from comparing the reports of different justice agencies.

Specific uses of available data to assess Federal criminal justice policy are numerous, even prior to data linkage. Simple numeric descriptions of Federal case flows and events can reveal the frequency with which specific problems, such as crimes committed while on bail and bail jumping, actually occur. The data can also be used to assess a host of other issues:

- case referral policies and rates of case flow between Federal and local agencies;
- the quality of evidence and investigations;
- rates of pretrial misconduct and the criteria used in making pretrial release decisions;
- rates of recidivism and chronic-offender case-targeting decisions;
- delays in case processing at each stage of the system; and
- consistency in case-processing and sentencing practices.

Although the case record can serve as the basis for many of these analyses, the data could be reorganized to allow addressing other issues. For example, studying recidivism and its predictors requires that the data be reorganized to describe offenders rather than current cases. Likewise, a study of arrest quality might require that the data be restructured to focus on Federal investigative functions rather than individual cases. Similarly, studying case backlogs may require a reorganization of the data by unit of time.

Analyses such as these require a thorough understanding of the structure of the system, of the issues relevant to system operation, and of the data as they relate to those issues.

The accompanying chart and discussion describe the fundamental stages of Federal case processing. The schematic has simplified what in fact is an extremely complicated set of interactions among individuals, cases, and organizations. Accordingly, it does not provide an inclusive description of the many processing options available at the various decision points in the system, nor does it in all cases draw the distinction between the movement of the offender and his case record. The chart is intended to identify, however, those processing stages which should be reflected in a comprehensive Federal statistics data base.

The Federal system

The Federal criminal justice system is divided into 94 judicial districts. Each has a Federal District Court and a U.S. Attorney. According to the Administrative Office of the U.S. Courts, approximately 50,000 criminal cases a year enter this system. Basic similarities exist between the way these cases are processed and the way cases are usually handled at the State and local levels, but there are also some fundamental differences. At the Federal level, as at the State and local levels, criminal justice responsibilities are divided into the components of law enforcement, prosecution, adjudication and sentencing, and corrections.

The Federal system is perhaps most readily distinguishable from State and local systems in terms of the kinds of crimes unique to Federal jurisdictions, including major crimes (e.g., major drug offenses and crimes of serious fraud and corruption), crimes that cross State boundaries (e.g., interstate transport of stolen property, cargo theft), crimes involving Federal money (e.g., counterfeiting, forgery of U.S. checks), and crimes committed on U.S. Government property.

Criminal offenses that are investigated and prosecuted at the Federal level typically do not involve crimes of violence. These are commonly handled at State or local levels. Federal criminal cases usually result from long-term investigations of such crimes as embezzlement, fraud, drug dealing, or forgery. These cases may involve offenders who have committed many offenses over several months or years or have stolen large sums of money.

Five investigative agencies conduct a substantial majority of the investigative work done at the Federal level: the Federal Bureau of Investigation, the Drug Enforcement Administration, the Secret Service, the Postal Inspection Service, and the Bureau of Alcohol, Tobacco, and Firearms. Other Federal agencies, including the Customs Service, the Internal Revenue Service, the Food and Drug Administration, the Immigration and Naturalization Service, the Securities and Exchange Commission, and individual executive departments also employ investigators to monitor infractions that are the responsibility of those agencies. Investigative activities include crime detecting, evidence collecting, making arrests, presenting cases to Federal prosecutors, and conducting followup investigations.

Prosecuting Federal cases is the responsibility of the Department of Justice litigating divisions and the Office of the U.S. Attorney in each district. U.S. Attorneys are appointed by the President but generally have long-standing familiarity with the concerns of their districts. They are supported in Washington, D.C., by the Executive Office for the U.S. Attorneys.

Many, if not most, Federal crimes are "dual jurisdiction" offenses that may be prosecuted either federally or locally. The decision by a U.S. Attorney to prosecute a bank robbery, for example, may rest on such factors as the seriousness of the offense, the prior record of the offender, policies of the agencies involved, and the degree of involvement of local law enforcement officials in investigating the offense. Generally, the Federal government will prosecute cases brought by Federal agents when the cases meet the U.S. Attorney's standards of seriousness and have enough evidence to merit prosecution.

In addition to the 94 U.S. Attorneys and the 94 Federal district courts, there are 12 circuit or appeals courts and the Supreme Court of the United States. Statistical information about case processing in the judicial branch of the Federal system is maintained by the Administrative Office of the U.S. Courts.

After receiving sentences, convicted offenders in the Federal system may be turned over to the Division of Probation in the Administrative Office of the U.S. Courts or to the Bureau of Prisons. Offenders sentenced to incarceration are confined in one of the 42 Federal correctional facilities located throughout the country.

Eligibility for parole is determined using guidelines developed by the Federal Parole Commission. These guidelines permit evaluating each Federal inmate on the basis of offense seriousness and relevant aspects of the inmate's criminal history.

Federal data sources

The agencies that make up the Federal criminal justice system maintain a variety of data that document the processing of cases and defendants within each agency and describe the criminal record of individual offenders. At the investigation stage there are several automated data bases, including the FBI's Computerized Criminal History File (CCH); the Criminal Automated Reporting System of the Bureau of Alcohol, Tobacco, and Firearms; and the automated files maintained by the Drug Enforcement Administration and the Secret Service. Also, manual files are maintained by other agencies that engage in investigative work.

Information about the cases processed by the U.S. Attorneys is maintained by the Executive Office for the U.S. Attorneys in its Docket and Reporting System. The system provides data about criminal (and civil) case rejections, filings, and dispositions.

Court data maintained by the Administrative Office of the U.S. Courts in the Automated Docket System provide information about criminal case filings and terminations in the Federal Courts. The "termination" file contains offense, disposition, and sentencing information.

Finally, the Federal Bureau of Prisons uses automated prison records to monitor the confinement and release of Federal offenders.

In addition to the data bases listed above, special-purpose data sets provide a variety of information about Federal defendants, cases, and practitioners. These include:

- the U.S. Parole Commission longitudinal recidivism files;
- pretrial release data maintained by the Federal Pretrial Services Agency;
- COURTRAN files designed by the Federal Judicial Center that provide automated court records for 11 Federal districts;
- Prosecutor's Management Information System (PROMIS), currently in two U.S. Attorney's offices, with plans to extend it to other offices;
- other data developed as part of specific studies sponsored by Federal agencies (e.g., coded presentence investigation reports).

Bureau of Justice Statistics bulletins are prepared principally by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins; Marilyn Marbrook, head of the publications unit, administers their publication, assisted by Julie A. Ferguson. This bulletin was written by Brian Forst of INSLAW, Inc. (formerly the Institute for Law and Social Research), Washington, D.C.

NCJ-80814, March 1982

Conclusion

Maintaining statistical information about the Federal criminal justice system is not an easy task. It is one that at present is done primarily within each district and aggregated nationally by the numerous agencies operating separately within the Federal executive and judicial branches.

Movement toward a comprehensive system of Federal criminal justice statistics would certainly help to improve understanding of Federal case processing and enable the various agencies of the Federal justice network to conduct analyses that are needed to enable them to carry out their mandates. It would also foster better coordination both within the Federal government and between the Federal and local systems.

The Bureau of Justice Statistics has undertaken to build toward these ends. Currently, efforts are being directed toward a comprehensive review of Federal data sources to determine the feasibility of developing an integrated data base. BJS will also release a major Compendium of Federal Criminal Justice Statistics, which will provide a single-source reference to criminal justice statistics describing the Federal criminal justice system. Additionally, reports will be issued that analyze statistical data relevant to particular priority issues associated with the Federal offender and the Federal criminal justice system.

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Violent Crime by Strangers

Three of every five violent crimes are committed by persons who are strangers to their victims. This finding emerges from a study of National Crime Survey data for the crimes of rape, robbery, and assault from 1973 through 1979. An estimated 23.4 million of these crimes were committed during the 7-year period--an average of more than 3 million a year. (See table 1.)

The fear of crime is, in general, the fear of a random unprovoked attack or robbery by a stranger. A 1967 Presidential commission on crime concluded that "...the fear of crimes of violence is not a simple fear of injury or death or even of all crimes of violence, but, at bottom, a fear of strangers."[1]

In recent years, Americans have become increasingly crime conscious. During the past year, the national media and public officials have focused much attention on the volume of crime, its costs, and its effects on people in the Nation. Recent polls have found that many of us are becoming increasingly afraid of crime and, as a result, are changing our lifestyles. Yet, the overall rate at which these violent crimes were committed by strangers over the 1973-79 period shows no upward trend.

The study of crimes committed by strangers was limited to rape, robbery, and assault (both simple and aggravated).[2]

[1]The Challenge of Crime in a Free Society, a report by the President's Commission on Law Enforcement and the Administration of Justice, U.S. Government Printing Office, Washington, D.C., 1967, p. 52.

[2]For a definition of these crimes and an explanation of the National Crime Survey, see the BJS Bulletin, Measuring Crime, February 1981, NCJ-75710.

Table 1. Violent crimes by strangers, 1973-79 averages

Type of crime	Number	%
Total	3,356,851	100
Rape	105,308	3
Robbery	843,686	25
Aggravated assault	947,579	28
Simple assault	1,460,278	44

April 1982

This bulletin uses statistics from the first 7 years of the National Crime Survey (NCS) to examine crimes of violence committed by persons not known to their victims. The large data base that the NCS now represents permits a more detailed analysis of the characteristics of crime than can be obtained with data for a single year. A similar approach was used in the December bulletin, "Crime and the Elderly," and will be used later this year in a bulletin on weapons use.

Benjamin H. Renshaw III
Acting Director

Murder and kidnapping are not covered by the National Crime Survey, and comparable data for these two crimes from other sources do not exist.

Some data on the relationship of murderers to their victims are available from the FBI Uniform Crime Reports (UCR).[3] The proportion of murders by strangers remained relatively stable during 1976-79.[4] In 1979, the relationship between murderer and victim was unknown in more than a third of the cases, but in cases where the relationship was known, only 20% of the victims were killed by strangers. When only the murders committed along with another felony (such as a rape or robbery) are considered, the proportion of crimes in which the victim-offender relationship is not known rises to more than 45%. In cases where the relationship is known, the proportion of murders by strangers rises to nearly 60%.

Who is a stranger?

In the National Crime Survey, victims identify their offender, when known, by one of a series of relationships ranging from that of stranger to specified relative. The study of the 1973-79 data on crimes committed by strangers included both persons identified by the victim as strangers and persons identified as "known by sight." A group of offenders committing a single crime was considered to be a group of strangers only when the victim identified them as strangers or as known by sight only. No data are available on how well the offenders knew the victims.

[3]For an explanation of the UCR and its relationship to the NCS, see Measuring Crime.

[4]UCR data on relationship between victim and offender are not available for homicides before 1976.

How often are people victimized by strangers?

Evidence and logic both suggest that a victim is more likely to report a crime to an interviewer if the offender is a total stranger and less likely to do so if the offender is a close relative. In the latter case, both embarrassment and fear of retaliation are inhibiting forces; there may even be failure to recognize that a crime has occurred. In view of this possible bias, the number of crimes committed by nonstrangers may be somewhat understated, and the proportion of crimes committed by strangers may be somewhat overstated.

Americans age 12 and over were victims of violent crimes by strangers at an average rate of 20 victimizations per 1,000 people over the 1973-79 period. This compares with a nonstranger victimization rate of 12 per 1,000 people. Robbery and rape were the two violent crimes most often committed by strangers. The average percent of violent crime committed by strangers during 1973-79 was:

All violent crime	59
Rape	65
Robbery	76
Aggravated assault	56
Simple assault	53

Robbery was committed by strangers so often that the victimization rates for robbery by strangers and aggravated assaults by strangers were about the same (roughly 5 per 1,000) even though the overall rate for aggravated assault (10.0 per 1,000) was 52% higher than that for robbery.

Trends in crimes by strangers

Because crimes by strangers account for 60% of all violent crimes, the pattern in their rates over time is virtually the same as for total violent crimes--one of great stability. In contrast, the rate of violent crimes committed by persons known to their victims increased by 10% over the 1973-79 period. (See figure 1.)

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The rate of violent crime committed by strangers was stable in the 7-year period for both whites and blacks. Not only did the rate of violent crimes by strangers remain unchanged between 1973 and 1979, but the character of these crimes also remained apparently unchanged. For example, about a third of the robbery victims were injured throughout the 7-year period, while the proportion seriously injured averaged about 7%. The use of weapons in robbery showed no increase. Robbery with any weapon accounted for about half of all robberies in each year, while robbery with a gun was slightly more than one-fifth each year.

Victims of strangers

Men were victimized by violent strangers at a rate almost triple that of women. The average rate for men from 1973 to 1979 was 29 per 1,000; for women, 11 per 1,000. This ratio contrasts sharply with that for violence at the hands of relatives or acquaintances. Men were somewhat more likely than women to be victims of violence from acquaintances (12 per 1,000 vs. 7 per 1,000) while the reported rates for violence from relatives were practically the same (1 per 1,000 vs. 3 per 1,000). The latter figures, of course, are the most likely to be affected by incomplete reporting.

Blacks were more than twice as likely as whites to be robbed by strangers, but whites were more likely to be victims of simple assault. The likelihood of rape or aggravated assault by strangers was roughly the same for both races.

The victimization rates per 1,000 population by sex and by race for 1973-79 are:

	White	Black	Male	Female
Rape	1	1	0.1	1
Robbery	4	10	7	3
Aggravated assault	6	6	9	2
Simple assault	9	5	12	5

For both sexes, the overall chance of becoming the victim of a violent stranger decreased as age increased. Persons age 65 and over had victimization rates substantially lower than persons age 20 to 24. The difference was especially sharp for aggravated assault of males. Men age 20 to 24 had an aggravated assault rate 30 times that for men over 65.

While the general likelihood of being the victim of violent crime at the hands of a stranger fell with increasing age, this was not the case for robbery specifically. For both men and women, robbery rates for the elderly were not significantly different from those of young people age 20 to 24. Many older people are physically unable to move about outside their homes. Others, according to published surveys, have consciously curtailed their outside activities for fear of crime. Therefore, the risk of robbery for older persons who continue to be active and mobile may be greater than the overall risk for the elderly.

Characteristics of unknown assailants

In rapes and assaults by strangers, the assailant was more often a lone white male over age 21. In contrast, persons robbed by strangers were more likely to be confronted by a pair or a group of black males who were as likely to be under 21 as over 21.

Whites were the offenders in two-thirds of all assaults, more than half of all rapes, but only a third of all robberies. Less than 1 of every 10 violent strangers was female.

Rapes and assaults by strangers were highly intraracial, but less so than nonstranger rapes and assaults. Robbery by strangers, however, was primarily intraracial only for black victims. In robberies, 85% of black victims reported that the robber was black; among white victims, only 37% reported that the robber was white, while 51% reported that the robber was black. (See table 2.)

Young offenders did not appear to be singling out the elderly as victims of robbery and assault. The rates at which persons age 65 and over were victims of robbery and assault by offenders under age 21 were not significantly different from those of the rest of the population. Similar percentages of robbery and assault victims over 65 and under 65 reported that their robbers were under 21.

Crime locales

Many media reports focus on street crime as one of the most serious problems facing this country. Though usually undefined and variously interpreted, street crime commonly means violent offenses committed by strangers in outdoor public areas. Different people might expand or limit this definition, but regardless of how it is defined, street crime occurs in a variety of places. As used here, "street crime" means all violent crime committed by strangers outdoors but away from the victim's home; for example, in a park, playground, field, parking lot, or schoolyard.

Violent crime in the U.S., victimization rates, 1973-79

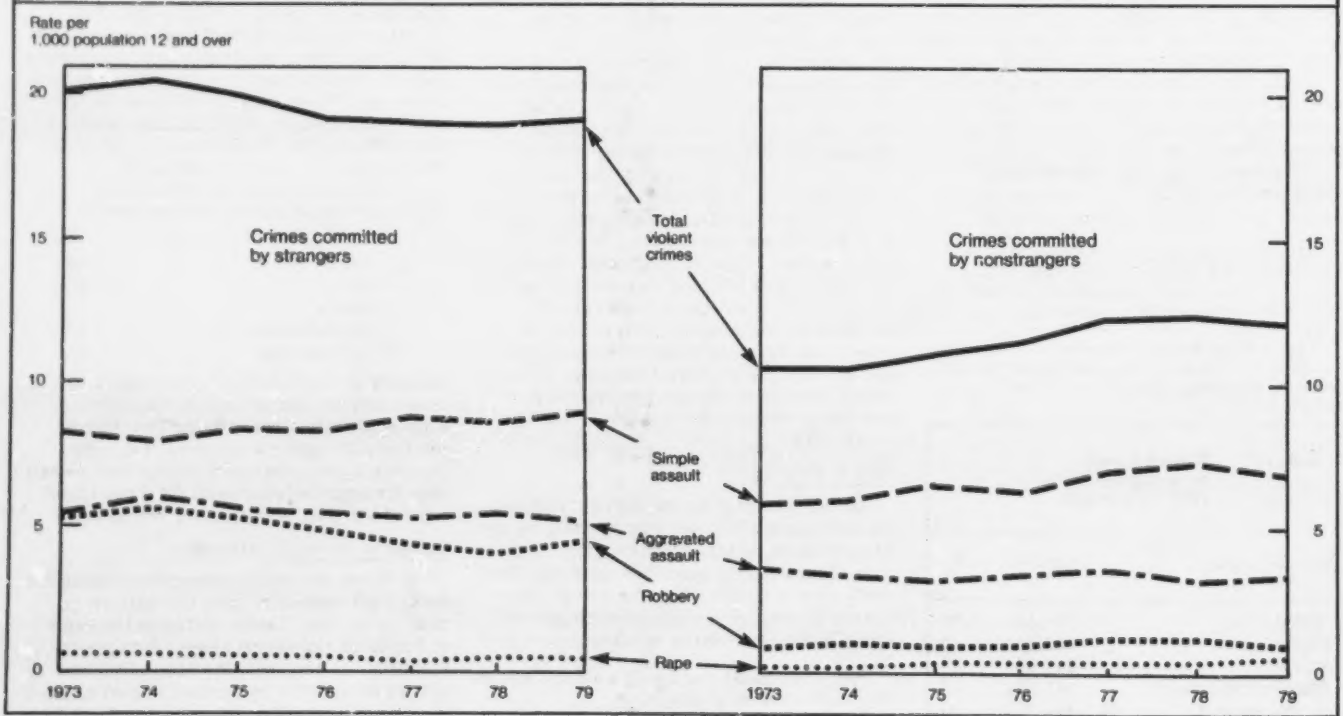

Figure 1.

Crimes by strangers were much more likely than crimes by acquaintances or relatives to have been street crimes. More than half of all violent crimes by strangers were street crimes compared to a third of those committed by acquaintances and a tenth of those committed by relatives. Robbery was the most common street crime (3 out of 5 occurred on the street). Simple assault and rape were no more likely to occur on the street than elsewhere.

Commercial establishments encompass everything from banks to buses, restaurants, and train stations. Such places were less likely than outdoor areas but more likely than homes or their environs to have been the site of violent crimes by strangers. Only 4% of such crimes occurred inside schools and only 1% inside offices or factories. This may simply reflect the fact that schoolmates and coworkers are likely to know each other.

A home was the locale of a fifth of all rapes by strangers. Only 7% of all robberies and 4% of all assaults were in the home. In more than 4 out of 5 rapes or robberies committed in the home by strangers, the stranger broke in or entered illegally. Far more rapes in the home are committed by strangers who break in or enter illegally than by strangers such as sales or repair personnel who enter with permission. Less than 1% of all household burglaries were accompanied by rape.

Time of occurrence

The highest hourly rate for violent crimes by strangers occurred during the evening (6 p.m. to midnight). Two-fifths of such crimes occurred during these 6 hours, while the proportion that occurred during the 12 daytime hours (6 a.m to 6 p.m.) was also two-fifths. The pattern of victimization by relatives was similar to that of victimization by strangers, but more than half of all victimizations by an acquaintance occurred during the day.

The relationship between the time and place of violent crimes by strangers was about what one would expect.[5] Of any combination of time and place, the highest rate of such crime per hour occurred outdoors during the evening. Outdoors, about as much crime occurred during the 6 evening hours as during the 12 daytime hours.

Nine-tenths of the crimes in school buildings and two-thirds of those in offices occurred during the day—when these locations are most likely to be open. Almost half the crimes at commercial establishments occurred during the evening; a third occurred during the day. The home and its environs had the most nearly even time distribution of any type of location: a third of the crimes in the home occurred in the daytime, two-fifths in the evening, and almost a fourth after midnight.

For rape, the pattern of time and place of occurrence differed somewhat from that of other violent crimes; the percentage of victimizations in the home at night was higher for rape than for robbery or assault.

[5]The statistics on time and place collected in the survey are not detailed enough to allow precise analysis of their relationship.

Table 2. Crimes of violence by strangers, 1973-79 averages

	Percent of victimizations				
	Violent crime total	Rape	Robbery	Aggravated assault	Simple assault
White victims					
White offenders	64	59	37	71	72
Black offenders	28	31	51	21	21
Mixed-race offenders	3	2	5	2	2
Other race or don't know	6	8	8	6	6
Black victims					
Black offenders	76	79	85	69	66
White offenders	17	14	8	24	28
Mixed-race offenders	2	4	3	3	1
Other race or don't know	4	3	5	3	5
Crimes reported to police	48	55	55	53	40
Completed	61	59	66	62	53
Attempted	41	53	37	50	37
Crimes completed	34	38	61	30	21
Crimes attempted	66	62	39	70	79
Involving victim injury	27	36	31	30	21
Type of injury					
Knife or gunshot wound	2	*	2	4	0
Broken bones or teeth	2	2	2	5	0
Internal injuries, knocked unconscious	2	4	3	3	0
Bruises, black eye, cuts, scratches, swelling	22	31	26	23	19
Other	5	7	5	5	4
Place of occurrence					
At or in own dwelling, in garage or other building on property (includes break-in or attempted break-in)	5	20	7	5	4
At or in a vacation home, hotel/motel	*	2	1	*	*
Inside commercial building such as store, restaurant, bank, gas station, public conveyance or station	17	7	15	16	20
Inside office, factory, or warehouse	1	1	1	1	2
Near own home: yard, sidewalk, driveway, carport, apartment hall (Does not include break-in or attempted break-in)	8	8	7	8	8
On the street, in a park, field, playground, school grounds or parking lot	54	48	61	55	50
Inside school	4	2	3	2	5
Other	10	12	6	13	11
Time of day					
Day (6 a.m. to 6 p.m.)	42	36	42	38	46
Evening (6 p.m. to Midnight)	43	38	43	45	40
Night (Midnight to 6 a.m.)	15	25	14	16	13
Evening/night but don't know time (6 p.m. to 6 a.m.)	*	*	*	*	*

*Less than 1 percent

As mentioned earlier, rape was more than four times as likely as robbery and assault combined to occur in the home. Almost 40% of all rapes in the home occurred at night, but the night was the least likely time for robbery and assault to take place.

Weapons used by strangers

Strangers employed weapons in 4 of every 10 violent crimes they committed. Armed strangers committed a greater proportion of robberies (50%) than of rape (30%) or assault (40%). By definition, however, simple assault does not involve weapons. If aggravated assault alone is considered, 96% involve the use of a weapon.

For each type of crime, armed offenders used guns and knives almost equally. Data from the FBI Uniform Crime Reports, however, indicate that guns are employed in

murder more often than all other weapons combined and suggest that a gunshot wound is more likely to be fatal than injury caused by any other weapon. Other weapons, ranging from blackjacks and brass knuckles to rocks and beer bottles, are used most often in assaults (more than guns or knives) and least often in rape.

Completed crimes

The difference between an attempted and a completed crime is somewhat arbitrary, and it differs for each of the three violent crimes. The definition is arbitrary because no one except the offender is certain what the offender was attempting to do. An assault could represent an attempt to rob, to rape, or even to murder. In the National Crime Survey, the victim reports whether a rape was attempted or completed. A robbery is classified as an attempt if the offender clearly tried to take something from the victim and as a completed robbery if he succeeded. An assault is completed only if there is injury. Clearly, crime completion is not synonymous with crime seriousness--an attempted rape or robbery can involve severe personal injury to the victim and thereby can be much more serious than a robbery involving only loss of property or a simple assault involving only minor injury.

Two-thirds of all violent crimes by strangers are not completed. The completion rate for robbery was 61%; rape, 38%; aggravated assault, 30%; and simple assault, 21%. The high completion rate for robberies is in part due to the fact that strangers committing robberies were armed half the time and, when armed, 4 out of 5 times they had a gun or knife. Strangers who robbed with guns relieved their victims of property 80% of the time; strangers with knives, 60% of the time. Strangers armed with some other weapon were no more successful at robbery than unarmed strangers.

The high robbery completion rate also resulted from the tendency of strangers to rob in groups of two or more. The presence of more than one robber increased the likelihood of success by 24%. The presence of more than one robber had the greatest impact when a knife or knives were used; it increased the likelihood of success by 40% vs. only 30% for all other robberies, armed or unarmed or both. Nevertheless, a group of robbers with guns was even more often successful (83% of the time) than a group of robbers with knives (67% of the time).

Injury

How great was the threat of physical injury from violent strangers? Only 1 in every 20 victims received a serious injury such as a knife or gunshot wound, broken bones, or internal injuries. One in four received a minor injury such as a bruise, cut, scratch, or swelling. Because the National Crime Survey does not attempt to measure the pyschological consequences of victimization, injury data cannot fully reveal the trauma of violence at the hands of a stranger.

Rape was the crime most likely to involve injury to the victim; 36% of all rape victims were injured, 6% seriously. Robbery and assault victims were injured about 30% of the time, but 4 out of 5 of these injuries were not serious.

Attempted attacks with weapons comprised 9% of all armed crime. Robbers shot and missed in 3% of all gun robberies, and assailants shot and missed in 19% of all assaults with guns. All weapons except guns were used unsuccessfully in about 2% of all violent crimes. Attempted aggravated assaults with guns or knives accounted for 8% of all aggravated assaults by strangers. Even if no injury resulted, crimes in which a gun was shot or a knife used probably contribute a great deal more to the fear associated with violent crime than their outcomes might suggest.

Strangers wielding a weapon other than a gun or knife were more likely to do injury than those with guns or knives or with no weapons at all.[6] Strangers with guns injured 14% of their victims; those armed with knives and unarmed strangers each injured 25% of their victims; those armed with some other weapon injured 44% of their victims.

Even when the same type of weapon was involved, the rates of serious injury inflicted on victims differed sharply between robberies and assaults. (The data on rape were insufficient to analyze the seriousness of injury by weapon use.) Unarmed and gunwielding robbers were least likely to injure victims seriously; those armed with a weapon other than a gun or knife were most likely to cause serious injury. Unarmed assaulters and those armed with a gun or some weapon other than a knife were about equally likely to do serious injury to their victims (3%, 5%, and 5%, respectively); knife-wielders inflicted serious injuries on a higher percent of assault victims (12%).

* * *

During the 1970's, our consciousness of street crime grew rapidly, even though the rate of violent victimizations by strangers remained stable. Through the information provided here and in earlier bulletins presenting National Crime Survey data, we hope to provide a realistic perspective for individual citizens on the risks and avoidance of personal victimization.

Bureau of Justice Statistics Bulletins are prepared principally by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins; Marilyn Marbrook, head of the bureau publications unit, administers their publication, assisted by Julie A. Ferguson. The principal author of this bulletin is Michael R. Rand.

April 1982, NCJ-80829

[6]Incidents in which more than one type of weapon was used were classified according to the most deadly weapon used, with guns taking precedence over knives and knives taking precedence over all other weapons. Use of more than one kind of weapon occurred in only about 5% of all armed victimizations by strangers.

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Prisoners in 1981

May 1982

During 1981, the Nation's prison population grew by almost 40,000--by far the largest increase in a single year since data became available in 1925. This huge 12.1 percent influx pushed the number of Federal and State prisoners up to 369,009 and surpassed the record 10.5 percent annual growth rate set in 1975. Between 1980 and 1981 the incarceration rate of sentenced prisoners rose from 139 to 154 per 100,000 U.S. resident population.

The sharp increase can be attributed in part to sentencing laws enacted by many States during the past 5 years, notably mandatory imprisonment for certain crimes, usually those of a violent nature, and determinate sentencing, which, in general, precludes the possibility of parole.

During 1981, the number of States under court orders to reduce overcrowding rose from 28 to 31, while the number involved in litigation about overall prison conditions increased from 32 to 37. Moreover, dependence on local jails for substitute housing grew substantially.

The statistics in this report are from the National Prisoner Statistics program, which is among the oldest in the criminal justice statistical series. These data are collected annually for the Bureau of Justice Statistics by the U.S. Census Bureau from the departments of corrections in the 50 States and the District of Columbia. The cooperation of State officials, whose generous assistance and unfailing patience make the NPS program possible, is gratefully acknowledged.

Benjamin H. Renshaw III
Acting Director

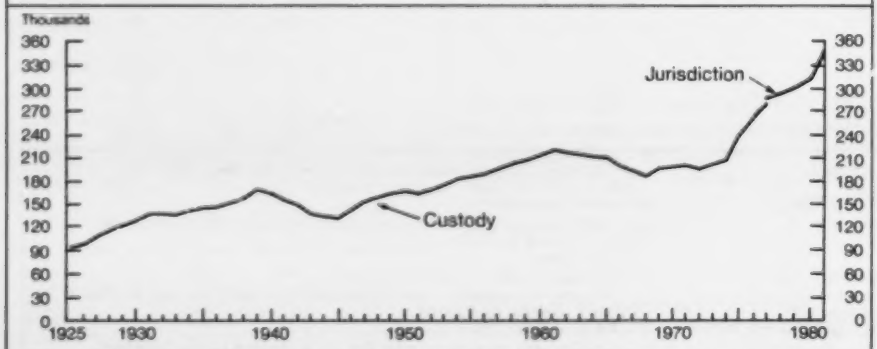
The 1981 prison population increase affected both Federal and State correctional systems, as well as both sentenced and unsentenced prison inmates. The number of prisoners under Federal jurisdiction grew by nearly 3,800, or 16 percent, reversing a 3-year decline begun in 1978 that had reduced the Federal prison population by one-fourth. Federal authorities linked the 1981 growth to increased attention to bank robbery and drug offenses.

The bulk of the increase in prisoners occurred in State institutions, which held an additional 36,000 inmates at yearend. Behind this growth were measures reflecting a sterner public attitude toward crime and criminals. During the past 5 years 37 States have passed mandatory sentencing laws and 11 States have passed determinate sentencing laws, both of which frequently result in a longer average time served than indeterminate sentences. Many States have adopted more stringent regulations on the use of parole, and four States have abolished it altogether.

During 1981, prison populations increased in 49 States and the District of Columbia. Only Michigan, which released prisoners under its new emergency "rollback" law, reported a decline (1 percent). Increases of less than 5 percent occurred in only seven States (Maine, Minnesota, New Mexico, North Carolina, Oregon, West Virginia, and Wyoming).

Nearly half the growth in the number of State prisoners occurred in the seven States that added more than 1,600

Number of sentenced State and Federal prisoners, yearend 1925–81



Note: Prior to 1978, NPS reports were based on the custody population. Beginning in 1978, focus is on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Figure 1

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Table 1. Prisoners under jurisdiction of State and Federal correctional authorities, by region and State, yearend 1980 and 1981.

Region and State	Total			Sentenced to a year or less or unsentenced			Number of sentenced prisoners per 100,000 population 12/31/81[a]
	1981	1980	Percent change	1981	1980	Percent change	
United States	369,009	329,207	12.1	16,533	14,497	14.0	154
Male	353,482	315,838	11.9	15,314	13,378	14.5	303
Female	15,527	13,369	16.1	1,219	1,119	8.9	12
Federal institutions	28,133[b]	24,363	15.5	5,964[b]	3,752	59.0	10
State institutions	340,876	304,844	11.8	10,569	10,745	-1.6	144
Northeast	53,145	45,842	15.9	2,661	3,281	-18.9	102
Maine	866	829	4.5	132	143	-7.7	65
New Hampshire	384	326	17.8	0	0	..	41
Vermont[c]	534	480	11.2	138	138	0	77
Massachusetts	3,779	3,191	18.4	[d]	35	..	65
Rhode Island[c]	962	813	18.3	274	202	35.6	72
Connecticut[c]	4,647	4,308	7.9	1,652	2,192	-24.6	96
New York	25,658	21,829	17.5	118	176	-33.0	145
New Jersey[e]	6,958	5,884	18.3	267	320	-16.6	90
Pennsylvania	9,357	8,182	14.4	80[f]	75	6.7	78
North Central	72,228	66,041	9.4	1,111	1,717	-35.3	121
Ohio	14,968	13,489	11.0	0	0	..	139
Indiana	8,054	6,683	20.5	495	402	23.1	138
Illinois	13,499	11,899	13.4	405	1,175	-65.5	114
Michigan	14,992[g]	15,124	-.9	0	0	..	163
Wisconsin	4,378[g]	3,980	10.0	0	0	..	92
Minnesota	2,024	2,001	1.1	0	0	..	49
Iowa	2,713	2,513	8.0	3	2	50.0	94
Missouri	6,154	5,524	11.4	0	0	..	125
North Dakota	308	253	21.7	66	68	-2.9	37
South Dakota	693	635	9.1	31	26	19.2	97
Nebraska	1,633	1,446	12.9	111	44	152.3	97
Kansas	2,812	2,494	12.8	0	0	..	118
South	160,259	145,711	10.0	4,621	3,708	24.6	202
Delaware[c]	1,716	1,474	16.4	434	387	12.1	214
Maryland	9,335	7,731	20.7	423[f]	0	..	209
District of Columbia[c]	3,543	3,145	12.7	611	426	43.4	461
Virginia	9,388	8,920	5.2	375	339	10.6	166
West Virginia	1,312	1,257	4.4	0	0	..	67
North Carolina	15,791	15,382	2.7	937	1,057	-11.4	250
South Carolina	8,527	7,862	8.5	529	435	21.6	253
Georgia	14,030	12,210	14.9	337	256	31.6	246
Florida	23,238	20,735	12.1	672	524	28.2	222
Kentucky	3,993	3,608	10.7	0	0	..	109
Tennessee	7,883	7,022	12.3	0	0	..	171
Alabama	7,441	5,961	24.8	141	175	-19.4	186
Mississippi	4,624	3,902	18.5	130	109	19.3	178
Arkansas	3,283	2,925	12.2	32	0	..	142
Louisiana	9,405	8,889	5.8	0	0	..	218
Oklahoma	5,248	4,796	9.4	0	0	..	169
Texas[h]	31,502	29,892	5.4	0	0	..	214
West	55,244	47,250	16.9	2,176	2,039	6.7	120
Montana	798	738	8.1	0	1	-100.0	101
Idaho	994[i]	817	21.7	0	0	..	104
Wyoming	558	534	4.5	0	0	..	113
Colorado	2,772	2,629	5.4	2	20	-90.0	93
New Mexico	1,524	1,461[j]	4.3	101	80	26.2	107
Arizona	5,211[f]	4,372	19.2	5	12	-58.3	186
Utah	1,140	932	22.3	14	4	250.0	74
Nevada	2,141	1,839	16.4	0	0	..	253
Washington	5,336	4,382[e]	21.8	0	0	..	127
Oregon	3,282	3,170	3.5	3	5	-40.0	124
California[k]	29,267	24,569	19.1	1,290	1,305	-1.1	116
Alaska[c]	1,019	822	24.0	311	251	23.9	172
Hawaii[c]	1,202	985	22.0	450	361	24.7	77

NOTE: Yearend 1980 prisoner counts may differ from those in Prisoners in State and Federal Institutions on December 31, 1980, because reporting officials are given the opportunity to update NPS records. Similarly, yearend 1981 data are preliminary and subject to revision.

[a]Unpublished Bureau of the Census estimates for the resident population on July 1, 1981, were used to calculate sentenced prisoners per 100,000 persons for both the States and the Nation as a whole. Sentenced prisoners are defined as persons serving sentences longer than a year.

[b]Figure includes 1,921 persons held under jurisdiction of the Immigration and Naturalization Service rather than the Bureau of Prisons.

[c]Figures include both jail and prison inmates; jails and Prisons are combined into one system.

[d]Not available.

[e]Official prison population counts exclude State prisoners held in local jails.

[f]Estimate.

[g]Figure is for November 30, 1981.

[h]Figure for inmates under State jurisdiction but not in State custody are not available.

[i]Figure includes 7 escapees.

[j]Figure may be understated due to a recordkeeping backlog.

[k]Figures exclude adult inmates under the jurisdiction of the California Youth Authority.

inmates each during the year. Almost a third of the nationwide growth occurred in the three largest State prison systems, California, New York, and Florida, which experienced gains of 4,698, 3,829, and 2,503 respectively. California officials attributed their 19 percent increase to legislation enacted in 1980 requiring mandatory imprisonment of violent offenders, as well as to a rise in reported crime and a "get tough" attitude among law enforcement personnel. New York officials attributed their large increase to legislation requiring mandatory sentencing for violent offenders and the allocation of greater resources to the prosecution of felonies. Florida's 12 percent growth was linked by officials there to a larger number of convictions and high unemployment. The other States with gains of more than 1,600 each were Georgia, Texas, Maryland, and Illinois. Reasons variously cited for increases in these States were longer sentences, increased admissions, and the opening of new facilities.

Along with growth in the absolute number of prisoners were unprecedented percentage increases. Nine States recorded increases of 20 percent or more, including five States under court order to reduce overcrowding. Alabama, whose inmate population grew by 25 percent, attributes its increase to a sharp rise in the crime rate, curtailed use of probation, and the exclusion of certain types of felony offenders from the opportunity to earn good-time credits. Washington, with a 22 percent rise, links its growth to increased admissions, longer sentences, and the mandatory imprisonment of violent offenders, mainly those using a weapon. Correctional officials in Indiana attribute that State's 21 percent population rise to an increase in the amount of crime committed, the elimination of parole, and the incarceration of more short-term offenders.

Alaska, Hawaii, Idaho, North Dakota, and Utah, all States with relatively small prison populations, also recorded increases of 20 percent or more. Chief among explanations advanced for growth in these States were mandatory sentencing, increase in crime, and a rise in public demand for the incarceration of offenders.

Table 2. States with prison population increases of 20 percent or more during 1981.

State	12/31/81	12/31/80	Percent change
Alabama	7,441	5,961	24.8
Alaska	1,019	822	24.0
Utah	1,140	932	22.3
Hawaii	1,202	985	22.0
Washington	5,336	4,382	21.8
Idaho	994	817	21.7
North Dakota	308	253	21.7
Maryland	9,335	7,731	20.7
Indiana	8,054	6,683	20.5

Table 3. State prisoners held in local jails because of overcrowding.

	1981	1980
Total	8,576	7,130
Alabama	1,485	1,410
Florida	288	285
Georgia	1,729	770
Kentucky	104	94
Louisiana	793	1,267
Maine	23	6
Maryland	71	277
Massachusetts	-	125
Michigan	162	75
Mississippi	1,172	1,243
Montana	1	1
New Hampshire	19	-
New Jersey	945[a]	200[a]
New Mexico	18	13
New York	39	-
Oklahoma	72	124
South Carolina	544	609
Tennessee	212	178
Utah	29	-
Virginia	846[b]	368
Washington	24	85[a]

[a]Not included in this State's official prison count.
[b]Includes some persons held for reasons other than overcrowding.

To cope with growing inmate populations, States have used various forms of early release, commutation, and extended furlough to make room for new admissions. Usually, such releases are granted to nonviolent offenders and those inmates with good conduct records. During 1981, Michigan and Iowa passed laws that define the point at which crowding becomes an emergency and that establish procedures for early release. When the population of institutions exceeds rated capacity for a specified time—30 days in Michigan and 45 days in Iowa—certain prisoners due to leave within 90 days, preferably nonviolent offenders, become eligible for early release. This "rollback" procedure remains in effect until the confined population has been reduced to rated capacity. In Minnesota, sentencing is used to assure that the number of inmates remains 5 percent below rated capacity.

Measures taken to control the size of incarcerated populations through increased use of probation and early release have had a relatively small impact on the overall problem of overcrowding. Various States have employed emergency confinement

Table 4. States holding prisoners in local jails because of overcrowding.

	Number of States	Number of prisoners
1981	20	8,576
1980	18	7,130
1979	15	6,497
1978	12	6,774
1977	10	7,048
1976	10	7,725

facilities such as trailers, tents, prison hospitals, prefabricated buildings, and military stockades. Many have assigned two or even three inmates to cells designed for only one. In some institutions inmates sleep in hallways or on floors. Although data on recent prison construction are incomplete, new or expanded facilities are known to have opened in Arkansas, Maryland, New Mexico, Ohio, and Washington during 1981.

Throughout the year, correctional authorities continued to rely on local jail facilities to house excess State prisoners. In all, 20 States had prisoners backlogged in local jails, up from 18 in 1980 and twice as many as in 1976, when such data were first collected. At yearend, 8,600 State inmates were confined in local jails, 1,446 more than a year earlier. During the year, this method of housing State prisoners met increasing resistance from local authorities.

Unsentenced prisoners and prisoners sentenced to a year or less comprised 4 percent of the inmate population in 1981. Generally, these inmates were disproportionately female and disproportionately under Federal rather than State jurisdiction. More than half of all such inmates were confined in 9 jurisdictions--California and North Carolina plus the seven with combined jail/prison systems (Alaska, Connecticut, Delaware, the District of Columbia, Hawaii, Rhode Island, and Vermont). Those in California were for the most part confined under civil narcotics statutes. In North Carolina, persons sentenced to a maximum of 181 days serve their time in State facilities. Five other States with more than 400 such prisoners each--Illinois, Indiana, Maryland, South Carolina, and Florida--accounted for another quarter. Federal authorities were holding nearly 6,000 inmates with no sentences or short sentences at yearend. Of these nearly a third were Cuban and Haitian refugees detained by the Immigration and Naturalization Service (INS), awaiting immigration proceedings to determine whether they should be deported. Most INS detainees

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are confined outside the Federal prison system, however, and are not included in the total prisoner count.

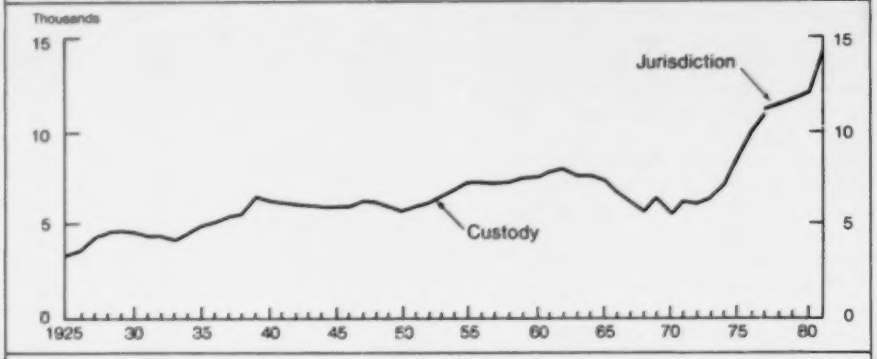
The large rate of increase for female prisoners may represent the acceleration of a trend that spans a decade. Between 1971 and 1981 the number of women sentenced to more than a year increased by over 100 percent; the number of men, by 75 percent. In both cases, the increase in the inmate population substantially exceeded the increase in persons arrested for violent crimes and serious property crimes combined--47 percent for men and 68 percent for women between 1971 and 1980.

The number of women in prison rose by 16.1 percent in 1981, more than the increase for males and much more than the increase for women a year earlier. Despite their large increase, women still account for only 4.2 percent of the prison population, a proportion that has not changed substantially over the past 5 years.

The large gain in female prisoners was distributed widely across the United States. Only six States—Arkansas, Michigan, Minnesota, Missouri, Rhode Island, and Wyoming—showed decreases in female inmates, and these tended to be quite small.

The prison population also grew substantially faster than the general population during the 1971-81 decade. In 1971, 96 persons were imprisoned for more than a year for every 100,000 persons in the general population. Ten years later the incarceration rate had risen to 154 inmates per 100,000 population. States with incarceration rates above 200 were all located in the South except for Nevada. States with the lowest incarceration rates were located primarily in the Northeast. Incarceration rates for men and women were 303 and 12, respectively.

Number of sentenced female State and Federal prisoners, yearend 1925–81



Note: Prior to 1978, NPS reports were based on the custody population. Beginning in 1978, focus is on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Figure 2

Further reading

Data in this report are preliminary and subject to revision. A final report on the prison population in 1981 will be published later under the title, Prisoners in State and Federal Institutions on December 31, 1981. To obtain reports for the years 1971 through 1980 or to be added to the bulletin mailing list, write to the Bureau of Justice Statistics, Washington, D.C. 20531.

Bureau of Justice Statistics Bulletins are prepared by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins. Marilyn Marbrook, head of the bureau publications unit, administers their publication, assisted by Julie A. Ferguson. The principal author of this bulletin is Stephanie Minor-Harper of the Census Bureau.

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Survey of State Laws

Criminal Justice Information Policies

June 1982

Over the past 10 years dramatic increases have occurred in the development and utilization of computerized systems for managing criminal justice information. Criminal justice intervention strategies have also been implemented that depend on the availability of accurate and timely criminal justice data.

These technological advances highlight the need to establish criminal justice information policies applicable to collecting, managing, and exchanging data. Such policies must ensure that appropriate balances are maintained between the needs of the law enforcement community for comprehensive criminal history data and the individual's right to ensure that his record is maintained in accurate and secure condition. Such policies must also facilitate the exchange of criminal history information so as to increase the utility of such data and to eliminate duplication of costs.

Congressional concern over these issues is defined in Section 524(b) of the Omnibus Crime Control and Safe Streets Act of 1968, now Section 818(b) of the Justice System Improvement Act of 1979. This legislation and implementing regulations issued by the predecessor of the Bureau of Justice Statistics require that the States adopt procedures to ensure accuracy, security, and appropriate limitations on disclosure of criminal history data and that individuals be permitted to review and, where appropriate, challenge the accuracy of notations on their records. Since criminal justice activity is primarily a State and local responsibility, the legislation and regulations provide that specific procedures to achieve these objectives shall be developed by the individual States.

The progress made in State legislation bearing on criminal information policy is documented by the survey results presented in this bulletin; the timing of this progress suggests that the Department of Justice leadership provided through Federal regulations has had a salutary effect in the process. The Bureau of Justice Statistics intends to support efforts to maintain a proper balance between the need for criminal history information and the individual's right to assure the accuracy and security of such records.

Benjamin H. Renshaw III
Acting Director

Each of the 50 States, the District of Columbia, and the territories of Puerto Rico and the Virgin Islands now have laws or statewide regulations dealing with the security and privacy of criminal history records. A recently completed survey to update the Bureau of Justice Statistics (BJS) Compendium of State Legislation on criminal records confirmed that the States regard the subject as an important one.[1]

This concern is shared by the public, as evidenced by the findings of a separate comprehensive nationwide survey conducted in 1979.[2] This survey found that the American people are greatly concerned about personal privacy and the negative impact on their lives that may result from pervasive applications of computer technology and the trend toward widespread collection and use of personal information. Three out of four Americans now believe that the right of privacy should be akin to the inalienable rights of life, liberty, and the pursuit of happiness.

State laws on criminal records clearly have an impact on personal privacy since these laws affect the completeness and accuracy of the information contained in the records and their availability to third parties. The laws also affect the actions of a variety of groups who have an interest in criminal history records, including not only law enforcement agencies but also such non-criminal-justice groups as employers, credit agencies, and the media. The important issue of interstate exchange of criminal records is also affected, since interstate movement of records can be facilitated by State law and can also be affected where there are conflicts in statutory requirements in different States. For these reasons, information on trends in State legislation on criminal records is important to decisionmakers at the policy and operational levels of law enforcement agencies as well as non-criminal-justice groups.

Survey results

The recent BJS-sponsored survey is an update of earlier surveys conducted in 1974, 1977, and 1979. In all of the surveys, State legislation and regulations were classified under subject matter categories dealing with specific aspects of security and privacy, such as limits on dissemination of criminal records, accuracy and completeness requirements, and civil and criminal penalties for mishandling criminal records. Table 1 shows the number of jurisdictions[3] that had acted in 17 of the most important categories in each of the survey years. The dramatic increase in State legislative awareness of the security and privacy issue in the last 5 years is clearly apparent from the table.

In 1974, few States had enacted legislation dealing with criminal records. As criminal history record systems improved significantly in the mid-1970's through increased use of automation, concerns about security and privacy heightened, and these concerns were reflected in increased State legislative activity. In 1975, pursuant to U.S. Department of Justice legislation (Section 524(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended), implementing regulations were issued requiring Federally funded criminal history record systems to take steps to ensure the security, confidentiality, and accuracy of identifiable criminal history

[1] The survey was conducted by SEARCH Group, Inc., during the first half of 1981.

[2] Harris Lewis and Dr. Alan F. Westin, The Dimensions of Privacy: A National Opinion Research Survey of Attitudes toward Privacy, Sentry Insurance, Stevens Point, Wise, 1979.

[3] The survey covered the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

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records. In recognition of the fact that information policy development is primarily a State function, the regulations did not require the States to enact legislation to provide the necessary protection. It is apparent, however, that most States have preferred this approach.

By 1977, the legislation had more than doubled in most categories, and activity in all categories continued to increase through 1981.[4] As the 1981 totals show, a majority of the jurisdictions have enacted laws dealing with virtually every category. All but a few have legislated in the especially important categories of limits on dissemination, right of individuals to review and challenge their records, and the accuracy and completeness of the record. Table 2 shows which jurisdictions have enacted legislation or issued regulations in seven of the most important categories of criminal information policy:

(1) State regulatory authority,
(2) limits on dissemination,
(3) right of individuals to inspect their records,
(4) completeness and accuracy of information,
(5) security of data,
(6) research access, and
(7) criminal penalties.

As the table shows, a significant number of States have acted in all seven of these categories and a majority have acted in at least five of the seven.

Table 1. Changes in statutes by classification category in the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands

Category	1974	1977	1979	1981
Statewide or central regulatory authority	7	38	42	46
Privacy and security council	2	10	13	22
Regulation of dissemination	24	40	44	51
Right of record subject to inspect	12	40	43	42
Right to challenge accuracy	10	30	36	36
Judicial review of challenged information	10	20	22	17
Purging nonconviction information	20	23	28	35
Purging conviction information	7	13	19	24
Sealing nonconviction information	8	15	16	20
Sealing conviction information	7	20	21	22
Research access	6	12	14	20
Accuracy and completeness	14	41	45	49
Civil remedies	6	22	25	33
Criminal penalties	18	35	39	39
Public record laws	9	43	42	53
Security	12	26	31	32
Transaction logs	6	11	27	28

Trends and conclusions

An analysis of the laws compiled in the survey suggests the following:

- Almost all jurisdictions favor broad legislation establishing a policy framework and leaving operational procedures to be promulgated by regulations.
- Most jurisdictions begin with the presumption that criminal records are public and carve out exceptions to limit access to more sensitive records. This approach is consistent with the approach embodied in most freedom of information laws.
- Twenty-four jurisdictions (45%) have enacted comprehensive privacy and security laws. Most of these laws deal with all aspects of record policy covered in the Department of Justice regulations, and many of them are stricter than the regulations.
- Most jurisdictions distinguish between original records (police blotters, court dockets, and other chronological entries) and summary criminal histories, which are compilations of information indexed to individuals by name or other identifiers. Even when information in criminal histories is restricted, the original records usually remain available—although in most cases it would be difficult to search for them. This seems to be a popular way to provide privacy protection while not completely restricting historical records.
- The concept that restrictions should be placed on the release of nonconviction information (acquittals, dismissals, and arrests without dispositions) is generally accepted. Although the Federal regulations allow States to disseminate such information pursuant to State law, many States choose not to make nonconviction information available outside the criminal justice system.
- Forty-two jurisdictions (81%) by statute allow record subjects to inspect their criminal history records, and 36 jurisdictions (68%) specifically provide for amendment or correction of challenged information. These measures are regarded as essential privacy rights because they permit record subjects to know what data are recorded and give them a role in monitoring the accuracy of their records.
- Twenty-nine jurisdictions (55%) require that dissemination logs be maintained to record the disclosure of criminal history information. Further, the jurisdictions usually require that corrected information be forwarded to agencies that have received erroneous or incomplete records.
- Forty-six jurisdictions (87%) have established or designated a State regulatory authority to provide general oversight of criminal history record management policy, and 21 jurisdictions (40%) have established privacy and security councils.
- Fifty-two jurisdictions (98%) have established central repositories. A central repository, mandatory disposition reporting, and a query prior to dissemination to verify completeness are the principal techniques to insure validity of criminal records. Most jurisdictions use all three.
- During the 8 years covered by surveys, the largest gain in record management regulation has been related to accuracy and completeness requirements. Now 49 jurisdictions (92%) have such provisions, although only 14 dealt with this matter as of 1974. Most jurisdictions specifically address accuracy and completeness of records; some merely require that criminal justice agencies establish procedures encouraging accuracy.
- Many jurisdictions (32 or 60%) have laws or regulations providing for information system security, and often such requirements are precise and strict. Laws on this subject deal with computer security, physical security of data and facilities, and screening and supervision of employees with access to criminal records.
- Remedies and penalties for failure to comply with laws or regulations for privacy and security may include civil or criminal sanctions or both. The survey found that 33 jurisdictions (62%) provide civil remedies that may include punitive as well as compensatory damages and sometimes recovery of attorney fees. Civil penalties against agency personnel who have disregarded their duties may include job transfer, suspension, or dismissal. Thirty-nine jurisdictions (74%) provide criminal penalties for willful transgressions. These laws usually classify such conduct as a misdemeanor that could entail a fine or imprisonment.

Policies on dissemination

In the 1981 survey, the laws and regulations governing dissemination of criminal records were classified into subcategories so as to facilitate analysis of national dissemination trends based on specific types of records (conviction records, nonconviction records, and open arrest records) and specific classes of recipients (criminal justice agencies, government non-criminal-justice agencies, and the private sector). Government non-criminal-justice agencies include public agencies seeking criminal records for such purposes as employment, licensing, security clearances, and military recruitment. Private sector recipients include the media, employers, credit agencies, and private investigators. Table 3 shows the number of jurisdictions that expressly authorize or expressly prohibit access to the three types of records by the three classes of users.

Not surprisingly, the survey found that all types of criminal history records are freely disclosed in virtually every jurisdiction for purposes related to law enforcement and the administration of criminal justice. Fifty-one jurisdictions (96%) expressly authorize dissemination of conviction records to criminal justice agencies, and 49 jurisdictions (92%) authorize dissemination of nonconviction and arrest records to criminal

[4]The smaller totals in Table 1 for 1981 for "right of record subject to inspect" and "transaction logs" resulted from excluding some previously counted provisions from public record laws not specifically concerned with criminal records.

justice agencies. Further, no law expressly prohibits dissemination of any kind of criminal record within the criminal justice community. Private investigators or private security organizations are generally not accorded the same access rights as public criminal justice agencies; rather, they usually are held to have no greater rights than the general public unless special allowances are made by statute or regulation.

It is customary for State law to authorize disclosure of criminal history information to a variety of non-criminal-justice government agencies for employment purposes, security investigations, and other purposes, even though private-sector access for such purposes may not be specifically permitted by statute. The survey revealed that

- 43 jurisdictions (81%) permit disclosure of conviction information to government non-criminal-justice agencies,
- 35 jurisdictions (66%) permit disclosure of nonconviction information to such agencies, and
- 37 (70%) permit disclosure of arrest information to such agencies. On the other hand, relatively few States prohibit the release of criminal records to government non-criminal-justice agencies. Four States prohibit disclosure of conviction records, 10 States prohibit disclosure of nonconviction records, and 8 States prohibit disclosure of arrest information to government non-criminal-justice agencies.

With very few exceptions, the States are much more restrictive in their dissemination policies toward private-sector agencies and individuals, particularly with respect to nonconviction records and open arrest records. The laws of 32 jurisdictions (60%) may be construed as authorizing disclosure of conviction records to private persons. On the other hand, seven jurisdictions prohibit disclosure of conviction records to the private sector. With respect to other types of data, restrictions are even more common. Twenty-five jurisdictions (47%) specifically authorize dissemination of nonconviction records for specified private purposes, and 27 (51%) authorize disclosure of arrest records. However, 14 jurisdictions (26%) prohibit disclosure of nonconviction records for any purpose to the private sector, and 12 (23%) prohibit disclosure of arrest records to private persons.

Table 2. Status of legislation in major subject areas

State	Regulatory authority	Limits on dissemination	Right of individual to inspect record	Completeness and accuracy of data	Security of data	Research access to data	Criminal penalties
Alabama	X	X	X	X	X		X
Alaska	X	X	X	X	X	X	X
Arizona	X	X	X	X			X
Arkansas	X	X	X	X	X		X
California	X	X	X	X	X	X	X
Colorado	X	X	X	X			X
Connecticut	X	X	X	X	X	X	X
Delaware	X	X	X	X	X		X
District of Columbia		X	X	X			X
Florida	X	X	X	X	X	X	X
Georgia	X	X	X	X	X		X
Hawaii	X	X	X	X	X	X	X
Idaho	X	X	X	X			
Illinois	X	X	X	X			X
Indiana	X	X	X	X	X		X
Iowa	X	X	X	X	X	X	X
Kansas	X	X	X	X	X		X
Kentucky	X	X	X	X			X
Louisiana	X	X	X	X	X		X
Maine	X	X	X	X		X	X
Maryland	X	X	X	X	X	X	X
Massachusetts	X	X	X	X	X	X	X
Michigan	X	X	X	X			X
Minnesota	X	X	X	X	X	X	X
Mississippi	X						X
Missouri	X	X	X	X	X		X
Montana	X	X	X	X	X	X	
Nebraska	X	X	X	X	X		X
Nevada	X	X	X	X	X	X	X
New Hampshire	X	X	X	X	X	X	X
New Jersey	X	X		X			X
New Mexico	X	X	X	X	X	X	X
New York	X	X		X	X		
North Carolina	X	X	X			X	
North Dakota	X	X		X			
Ohio	X	X	X	X	X		X
Oklahoma		X		X			
Oregon	X	X	X	X	X	X	
Pennsylvania	X	X	X	X	X		
Puerto Rico	X	X	X	X	X	X	X
Rhode Island		X	X	X			
South Carolina	X	X	X	X	X		X
South Dakota		X	X	X			X
Tennessee	X	X	X	X			X
Texas	X	X					X
Utah	X	X	X	X	X	X	X
Vermont	X	X	X	X			
Virgin Islands							
Virginia	X	X	X	X	X	X	X
Washington	X	X	X	X	X	X	X
West Virginia	X	X		X			X
Wisconsin		X		X			
Wyoming	X	X		X	X		

Accuracy and completeness of data

Forty-nine jurisdictions (92%) have promulgated laws or regulations containing specific requirements for accuracy and completeness of records. This represents an increase of 8 over the number that had dealt with this subject in 1977 and a significant increase over the 14 (26%) that had such requirements in 1974. Some of these laws deal substantively with record accuracy through such requirements as procedures to insure accurate recording of information and to detect and correct errors. Other laws deal with such matters as disposition reporting, audits, transaction logs, and purging and sealing of records. The survey found that 46 jurisdictions (87%) have some statutory provision requiring reporting of dispositions, although not all of them set reporting deadlines, and relatively few of these statutes contain sanctions to make them mandatory. Twenty-five jurisdictions (47%) have an audit provision in their statutes or regulations. The prevailing approach appears to be an annual audit of the central repository and periodic random audits of contributing agencies.

At present, 29 jurisdictions (55%) specifically require that logs be kept showing to whom particular records are disseminated. This represents a significant increase over the 11 jurisdictions with such a requirement in 1977 and the 6 with this requirement in 1974. In addition to facilitating audit, dissemination logs help ensure record quality by providing a means of correcting inaccurate information sent to third parties.

The survey and research revealed that 35 jurisdictions (66%) provide for purging (destroying) nonconviction information. Twenty jurisdictions (38%) provide that such information may in certain circumstances be sealed (placed in special files with limited access requirements). With respect to conviction data, 24 jurisdictions (45%) provide for purging, while 22 jurisdictions (41%) have provisions for sealing such data.

Twenty-seven jurisdictions provide that sealing or purging a record shall remove the disqualifications that follow conviction for a crime (such as voting rights or employment in certain jobs). Twenty-two jurisdictions specifically authorize the record subject to deny the existence of an arrest or conviction that has been purged or sealed.

Access for research purposes

The results of the survey indicate that 20 jurisdictions specifically provide by statute

or regulation for the release of criminal history information for research or statistical purposes. All of these provide for the execution of confidentiality and nondisclosure agreements, and several jurisdictions provide that the criminal justice agency releasing the records shall have the authority to monitor the progress of the research to ensure that the nondisclosure agreement is complied with and to terminate access if violations are discovered.

Conclusion

The survey findings demonstrate the commitment made by States to criminal justice information policy development. The tables reflect a sustained treatment of the issue by large numbers of States and show the building body of law as it continues to grow and change. The extensive body of existing law in this area does not reflect the completion of policy development but rather illustrates that the process is firmly in place and that State policies are under continual legislative review as public concerns regarding criminal justice information policy change. As the process evolves, a driving and unifying force will derive from the continued leadership of the Bureau of Justice Statistics in national criminal justice information policy activity.

The practical outcome of these policy developments will affect the movement of highly sensitive information between criminal justice agencies, between the public and private sectors, between levels and branches of government, and even between the States themselves.

Additional legislation may have been enacted after the survey was completed in early 1981. If more detailed information is desired, the reader should consult the following Compendium volumes, which contain the complete text of all State laws and more detailed charts and analyses. These reports are available from the National Criminal Justice Reference Service, Box 6000, Rockville, Md. 20850.

Compendium of State Laws Governing the Privacy and Security of Criminal Justice Information, 1974, NCJ-26894.

Privacy and Security of Criminal History Information, Compendium of State Legislation, 1978, NCJ-48981.

Privacy and Security of Criminal History Information, An Analysis of Privacy Issues, 1978, NCJ-49544.

Privacy and Security of Criminal History Information, Compendium of State Legislation, 1979 Supplement, 1979, NCJ-59645.

Privacy and Security of Criminal History Information, Compendium of State Legislation, 1981 Supplement, 1982, NCJ-79652.

Table 3. Summary of statutes concerning dissemination of criminal history records

Type of recipient	Record type	Number of jurisdictions that: authorize access	prohibit access
Criminal justice agencies (for employment and administration of criminal justice)	Conviction	51	0
	Non-conviction	49	0
	Arrest	49	0
Government non-criminal-justice agencies (including public employment and licensing)	Conviction	43	4
	Non-conviction	35	10
	Arrest	37	8
Private sector (including media, employers, credit agencies, private investigators)	Conviction	32	7
	Non-conviction	25	14
	Arrest	27	12

Bureau of Justice Statistics Bulletins are prepared principally by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins. Marilyn Marbrook, head of the publications unit, administers their publication, assisted by Scott G. Alexander and Julie A. Ferguson. This bulletin was prepared by Paul Woodard and Gary Cooper of SEARCH Group, Inc., under the direction of Carol G. Kaplan of BJS.

NCJ-80836, June 1982

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Bureau of Justice Statistics Bulletin

Death-row Prisoners 1981

The death-row population in the United States swelled to 838 persons by yearend 1981—150 more than at yearend 1980. It was by far the largest group awaiting execution since a national count began in 1953. The cause of this huge accumulation of condemned prisoners was a 3 to 1 ratio of persons receiving the death penalty to those removed from death row during 1981. Among the latter was an Indiana prisoner who was executed in March 1981, the fourth person to suffer the death penalty since an unofficial 10-year moratorium on executions ended in 1977.

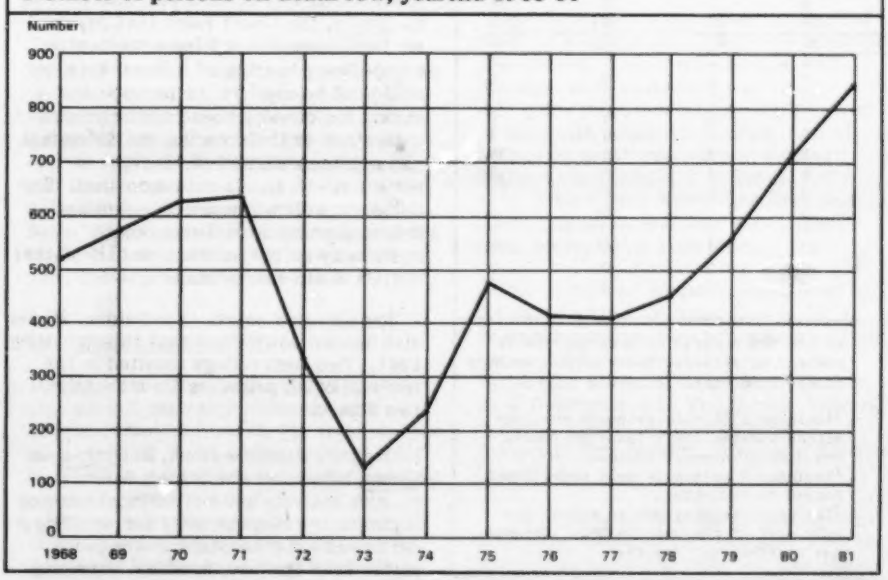
A decade of decisions

The relatively small group, 74 in all, relieved of the death sentence during 1981 reflected increasingly successful efforts of State legislatures to adapt capital punishment laws to guidelines established by the U.S. Supreme Court during the 1970's. During the previous decade, opponents of the death penalty had stepped up their use of litigation to block the execution of death-row prisoners, actions that largely were responsible for the moratorium that began in 1967.

Then, in the 1972 watershed case of Furman vs. Georgia, the U.S. Supreme Court ruled that the death penalty had often been used in an arbitrary and capricious manner, thereby violating Eighth Amendment guarantees against cruel and unusual punishment. All of the 600 persons sentenced under pre-Furman laws and awaiting death were eventually removed from death row. But the accumulation began again as many States moved quickly to revise their capital punishment statutes to meet objections raised by the Court.

The new laws generally were of two types. Some States sought to eliminate any chance of unfair treatment by making the death penalty mandatory for specified crimes, contingent solely on a finding of guilt. A second type went beyond the

Number of persons on death row, yearend 1968-81



July 1982

The United States will witness a spate of executions beginning in 1983-84 without parallel in this Nation since the depression era. Whatever views one may hold on the use of capital punishment, that is the reality behind the numbers presented here—both those dealing with prisoners on death row and the number of State capital punishment statutes that have passed Federal or State constitutional muster.

The number of persons on death row has been rising steadily for 5 years; only four persons were executed during this period, three of whom chose not to exhaust their avenues of appeal. A similar buildup on death row occurred during the sixties, but these persons were all removed from the threat of capital punishment as a result of the Supreme Court decision in Furman vs. Georgia.

Now again time is running out for a large proportion of individuals awaiting capital punishment. States have drafted and redrafted capital punishment measures and the Supreme Court is overturning fewer and fewer on Eighth Amendment or other constitutional grounds. Further, many death-row residents are exhausting their appeal process under these statutes. Thus the situation is ripe for the Nation to witness executions at a rate approaching the more than three per week that prevailed during the 1930's. We will then have a grim arena in which to conduct our national debate on the efficacy of the death penalty.

Benjamin H. Renshaw III
Acting Director

J 29.11:

Status of death penalty statutes and prisoners under sentence of death, by region and State, 1981

Region and State	Death penalty in force as of 12/31/81	Prisoners under sentence of death 12/31/80	Changes during 1981: Received under death sentence	Changes during 1981: Removed from death row	Changes during 1981: Executed	Prisoners under sentence of death 12/31/81
United States	...	688	225	77[1]	1	838
Male	...	679	225	76	1	827
Female	...	9	3	1	0	11
Federal[2]	Yes	0	0	0	0	0
State	...	688	225	77	1	838
Northeast	...	7	5	1	0	11
Maine	No	0	0	0	0	0
New Hampshire	Yes	0	0	0	0	0
Vermont	Yes	0	0	0	0	0
Massachusetts	No	0	0	0	0	0
Rhode Island	No	0	0	0	0	0
Connecticut	Yes	0	0	0	0	0
New York	Yes	0	0	0	0	0
New Jersey	No	0	0	0	0	0
Pennsylvania	Yes	7	5	1	0	11
North Central	...	54	25	1	1	77
Ohio[3]	Yes	0	0	0	0	0
Indiana	Yes	6	5	0	1	10
Illinois	Yes	31	11	1	0	41
Michigan	No	0	0	0	0	0
Wisconsin	No	0	0	0	0	0
Minnesota	No	0	0	0	0	0
Iowa	No	0	0	0	0	0
Missouri	Yes	7	7	0	0	14
North Dakota	No	0	0	0	0	0
South Dakota	Yes	0	0	0	0	0
Nebraska	Yes	10	2	0	0	12
Kansas	No	0	0	0	0	0
South	...	522	141	58	0	605
Delaware	Yes	3	1	0	0	4
Maryland	Yes	2	7	1	0	8
District of Columbia	No	0	0	0	0	0
Virginia	Yes	13	5	1	0	17
West Virginia	No	0	0	0	0	0
North Carolina	Yes	15	5	3	0	17
South Carolina	Yes	14	8	1	0	21
Georgia	Yes	87	5	1	0	91
Florida	Yes	155	24	18	0	161
Kentucky	Yes	5	4	0	0	9
Tennessee	Yes	15	8	2	0	21
Alabama	Yes	2	14	0	0	16
Mississippi	Yes	14	13	0	0	27
Arkansas	Yes	15	12	4	0	23
Louisiana	Yes	12	0	2	0	10
Oklahoma	Yes	30	9	3	0	36
Texas	Yes	140	26	22	0	144
West	...	105	57	17	0	145
Montana	Yes	3	0	0	0	3
Idaho	Yes	1	2	1	0	2
Wyoming	Yes	1	0	1	0	0
Colorado	Yes	0	1	0	0	1
New Mexico	Yes	1	2	0	0	3
Arizona	Yes	33	8	3	0	38
Utah	Yes	4	0	1	0	3
Nevada	Yes	10	4	2	0	12
Washington[3]	Yes	5	0	5	0	0
Oregon[3]	No	3	0	3	0	0
California	Yes	44	40	1	0	83
Alaska	No	0	0	0	0	0
Hawaii	No	0	0	0	0	0

NOTE: Some of the figures for yearend 1980 are revised from those shown in Capital Punishment, 1980 (final report), December 1981. These figures exclude 46 inmates (42 in Alabama, and 1 each in Arizona, Georgia, Illinois, and Louisiana) relieved of the death sentence before 1981 and the inclusion of 20 inmates (8 in Georgia, 2 in Florida, 1 in Texas, 2 in Mississippi, 6 in Louisiana, and 1 in Virginia) who, although sentenced to death before 1981, were either reported late to the NPS program or were not the in custody of relevant correctional authorities by December 31, 1981.

[1]Includes 1 Florida prisoner who committed suicide and 2 Texas prisoners who died of natural causes.

[2]Excludes 4 prisoners held under Armed Forces jurisdiction.

[3]The death penalty was in effect for only part of the year in Ohio, Oregon, and Washington. See text.

issue of guilt to the circumstances of the crime.

In 1976, the U.S. Supreme Court ruled on five cases that became the benchmark for subsequent capital punishment laws. In two of these—Woodson vs. North Carolina and Roberts vs. Louisiana—the Court struck down statutes that imposed mandatory death sentences without due consideration of other factors. In the other three cases, however—Gregg vs. Georgia, Proffitt vs. Florida, and Jurek vs. Texas—the Court upheld death penalty laws that allowed the judge or jury, subject to stipulated guidelines, to weigh both aggravating and mitigating circumstances in passing sentence. Based on these rulings, most States have adopted laws that carefully define the elements of a capital crime and provide for guided discretion in determining the sentence.

Since 1976, the U.S. Supreme Court has scrutinized the details of many cases involving capital punishment, but has chosen relatively few for formal review. The most significant of these decisions was Coker vs. Georgia (1977) in which the Court held that rape of an adult woman was not grave enough to warrant the death penalty. As a result of this decision, virtually all capital penalties now in effect are for specified homicides or for specified felonies that result in death; those for other offenses have not had their constitutionality tested. Currently, all death-row inmates are convicted of homicide, except for two Florida inmates convicted of "sexual battery of a female child age 11 or under."

Current developments

By yearend 1981, at least four cases were awaiting a review by the High Court, while an important decision on the legal rights of capital prisoners was rendered in May of that year. In Estelle vs. Smith, the Court ruled that psychiatric testimony derived from the pretrial competency hearing of a Texas prisoner could not be used by the prosecution during the penalty phase of the proceedings, since in that hearing the defendant had not been warned of his right to remain silent and to retain counsel. The decision, which touches on a judicial practice common in Texas, could eventually affect as many as half of that State's death-row prisoners.

The supreme courts of individual States also handed down important rulings during 1981. Two such rulings resulted in the removal of all prisoners from death row in two States.

Oregon's supreme court, in Oregon vs. Quinn, ruled that the State's death penalty law was unconstitutional because it placed the responsibility for deciding a defendant's mental state on the judge rather than the jury, in effect depriving

the accused of the right to a jury trial. As a result of this ruling, the death sentences of all three of Oregon's death-row inmates were vacated.

Washington's capital punishment law also was struck down by its supreme court. In State vs. Frampton, the court found that the defendant, who pleaded not guilty, could be sentenced to death, whereas defendants who pleaded guilty could not because the law did not provide for a sentencing jury in such cases. Frampton's death sentence was changed to life imprisonment, and the court vacated the death sentences of the State's remaining four death-row inmates, whose cases also were on appeal. A month later, in May 1981, the Washington legislature replaced the unconstitutional law with one designed to overcome the defect.

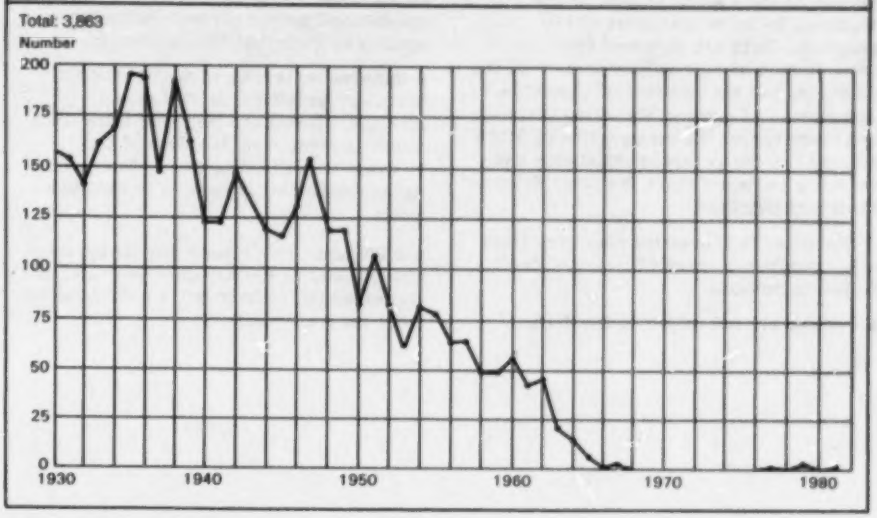
In other legislative actions taken during 1981, one State created a new capital offense, one State reenacted its death penalty law, and four revised existing ones. Oklahoma, which already had the death penalty for murder, passed a law making rape of a minor or mental incompetent a capital offense. Ohio passed a new capital punishment law to replace one ruled unconstitutional by the U.S. Supreme Court in 1978 (Lockett vs. Ohio). The law had put undue limitations on the circumstances that the sentencing authority could consider in its deliberation. Alabama, in response to the 1980 decision rendered by its supreme court in Beck vs. Alabama, also revised its death penalty law. The new law allows the jury to convict a defendant of lesser crimes rather than, as provided by the original law, only the capital offense. It also establishes a dual trial procedure, one for determining guilt and one for sentencing, as well as a mandatory appellate review. Connecticut, Texas, and Virginia made minor changes in their death penalty laws before the end of the year.

In 1981 for the first time, States reported whether their death penalty laws provided for automatic appeal from death sentences. With the exception of Arkansas, New York, and the Federal system, the statutes of all jurisdictions call for an automatic appeal, even if the defendant wished to waive the right. Some State laws provide for review of the sentence only; others require a review of both conviction and sentence.

Death sentences in 1981

With Ohio added to the list of States that permit capital punishment and Oregon removed from it, the total number of States (36) that had the death penalty in effect at yearend 1981 was the same as a year earlier. Of the 28 States with prisoners awaiting execution at yearend 1981, 25 had handed down the death penalty at least once during the year.

Number of persons executed, by year, 1930-81



Florida had more persons (161) awaiting execution than any other State; next were Texas (144) and Georgia (91). These three States held close to half of all prisoners on death row in the Nation.

Among States that contributed to the net increase of 150 prisoners, California's growth (from 44 to 83) was the largest. Next were Alabama (14) and Mississippi (13). No other State added more than 10, and five States (Louisiana, Oregon, Utah, Washington, and Wyoming) decreased the number of persons they had awaiting execution.

Blacks accounted for 41% of the Nation's death-row population—about the same proportion as a year earlier. Members of races other than white or black accounted for 1%.

Eleven women were under sentence of death at yearend 1981, two more than the year before. Maryland, Georgia, and Alabama each sentenced one woman during the year; one woman was relieved of the death penalty in Florida. All 11 women on death row were in southern States—4 in Georgia, 2 in Texas, and 1 each in Maryland, North Carolina, Kentucky, Alabama, and Oklahoma. Eight were white; three were black.

The number of Hispanics sentenced to die rose to 47—21% more than in 1980. Fourteen received new sentences; only six were relieved of the death sentence. Texas held the most Hispanics (16); next were California (12), Florida and Arizona (5 each), Illinois (4), and Virginia, Arkansas, New Mexico, Utah, and Nevada (1 each).

The number of new death-row inmates (228) represented a 16% increase over the number sentenced in 1980 and was one of the highest figures reported for the decade. California imposed the most new sentences (40) followed by Texas (26) and Florida (24). None of the other 22 States that handed down sentences during the year added more than 14.

For every three persons added to death row during 1981, only one was relieved of the death sentence. Texas granted the most dispositions (22), followed by Florida (18). All death-row inmates in Oregon and Washington were relieved of their death sentences as a result of State supreme court decisions. No other State relieved more than four prisoners of the death penalty.

The national total of 78 removals from death row included 1 execution in Indiana, 1 suicide in Florida, and 2 natural deaths in Texas. Since 1971, 29 prisoners have died while on death row, most from natural causes. Four died by execution, and at least five committed suicide.

Methodological note

Data on persons under sentence of death are collected annually for the

Bureau of Justice Statistics Bulletins are prepared principally by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins. Marilyn Marbrook, head of the publications unit, administers bulletin publication, assisted by Scott G. Alexander and Julie A. Ferguson. Susan Schechter-Ryan of the Bureau of the Census is the principal author of this bulletin.

NCJ-83191, July 1982

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Bureau of Justice Statistics by the U.S. Bureau of the Census as part of the National Prisoner Statistics (NPS) program. Data are obtained from the departments of corrections in each of the 50 States and the District of Columbia. The Bureau of Justice Statistics gratefully acknowledges the cooperation of State officials whose generous assistance and unfailing patience make National Prisoner Statistics possible.

Statistics in this series may vary from other death-row counts for any of the following reasons:

- Persons are not added to the NPS death-row counts at the time the court hands down sentence, but at the time the condemned person is received by the appropriate correctional authority.
- Inmates sentenced to death under statutory provisions later found unconstitutional are removed from the death-row count on the date of the relevant court finding rather than on the dates the finding is applied to individual cases.
- NPS death-row counts are always as of the last day of the calendar year and will therefore differ from estimates made for more recent periods.

Further reading

A final report on the death-row population in 1981 will be published in late 1982. To obtain the final 1980 report, Capital Punishment 1980, NCJ-78600, or to be added to the bulletin mailing list, write to the National Criminal Justice Reference Service, Box 6000, Rockville, Md. 20850. Other National Prisoner Statistics Bulletins include—

- Veterans in Prison, October 1981, NCJ-79232;
- Prisons and Prisoners, January 1982, NCJ-80697;
- Prisoners in 1981, May 1982, NCJ-82262.

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Probation and Parole 1981

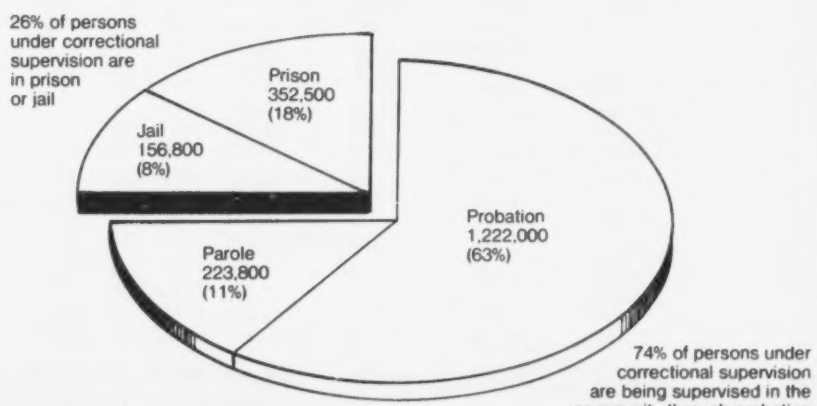
U. S. GOVT. PUBS.
DEPOSITORY 376

Three-fourths of all adult offenders under correctional supervision in the United States are supervised in the community, through probation and parole (see figure below). Probation and parole provide conditional liberty — they permit the offender to live in the community so long as his or her behavior meets certain conditions.

Probation, by far the most prevalent form of correction, traditionally has been used as an alternative to a prison or jail term. According to National Probation Reports data, the current probation population is divided evenly between felons (alternatively in prison) and misdemeanants (alternatively in jail). The courts continue to use probation as a less severe, and less expensive, alternative sanction, but increasingly they are mixing probation with incarceration, through split sentencing and sentence modification.

Parole is community supervision after release from prison or jail; it is intended to ease the transition to "straight" life. Some prisoners are released unconditionally ("no strings attached"), but most are released to parole supervision — either by parole board decision or by mandatory release based on both determinate sentencing statutes and good-time provisions. Uniform Parole Reports data focus exclusively on felons; all were sentenced to more than a year in prison.

Adults under correctional supervision, yearend 1981


26% of persons under correctional supervision are in prison or jail
Prison 352,500 (18%)
Jail 156,800 (8%)
Probation 1,222,000 (63%)
Parole 223,800 (11%)
74% of persons under correctional supervision are being supervised in the community through probation or parole

Who is included in these totals?

The parole population includes all adults under Federal or State parole supervision, whether released from prison via parole board decision or mandatory release.

The probation population includes all adults who, as part of a Federal, State, or local court order, have been placed under the supervisory authority of a probation agency.

The prison population includes all inmates of Federal and State institutions sentenced to more than 1 year. (1981 yearend prison population from BJS, Prisoners in 1981, BJS Bulletin, May 1982, NCJ-82262.)

The jail population includes both convicted and unconvicted adults held in locally operated jails; the figure is for February 1978 and is the most current figure available. (LEAA, Census of Jails and Survey of Jail Inmates, 1978.)

Not included are parolees under county jurisdiction, juveniles, and persons incarcerated in mental health institutions in lieu of prison.

The number of persons on probation and parole continues to grow. During 1981, the probation population rose by more than 100,000 persons, from 1,118,097 to 1,222,024 (a 9% increase); the parole population rose by only about 3,300, from 220,425 to 223,774 (less than a 2% increase). Probation population growth was widespread; all but two States — Nebraska and South Carolina — reported increases during 1981. Parole population growth was less consistent;

August 1982

With this report the Bureau of Justice Statistics (BJS) introduces bulletin readers to statistics from the Uniform Parole Reports (UPR) and National Probation Reports (NPR) programs. UPR, which began collecting parole data in 1965, has two data systems—a summary system and an offender-based system. NPR began collecting summary probation data in 1979 and will soon be piloting an offender-based probation data system. Data in this bulletin are from the two summary systems.

These data are collected annually for BJS by the National Council on Crime and Delinquency's San Francisco office via the UPR Parole Data Survey and appear in Parole in the United States and Probation in the United States. The generous cooperation of the State probation and parole agencies in participating in these surveys is gratefully acknowledged.

Benjamin H. Renshaw III
Acting Director

J 29.11:

Adult probation and parole, 1981

	Adult Residents 7/1/81 (in thousands)	Probation						
		Population 12/31/80	1981 Entries	1981 Exits	Population 12/31/81	1981 Entries per 10,000	Population 12/31/80	Ent
UNITED STATES	**166,147**	**1,118,097**	**753,460**	**650,296**	**1,222,024**	**45**	**220,438**	**132**
Federal		45,369	17,202	18,620	43,951		23,652	9
State Total		**1,072,728**	**736,258**	**631,676**	**1,178,073**		**196,786**	**123**
Northeast	**36,547**	**198,394**	**146,499**	**121,316**	**223,577**	**40**	**45,359**	**18**
Maine	818	2,419	3,645	3,086	2,978	45	213	
New Hampshire	680	1,663	1,431	1,236	1,858	21	441	
Vermont	373	3,100	2,400	2,100	3,400	64	293	
Massachusetts	4,323	19,562	29,782	22,131	27,213	68	4,071	1
Rhode Island	716	5,501	3,449	3,235	5,715	48	257	
Connecticut	2,333	22,981	20,329	18,532	24,778	87	1,932	1
New York	13,021	63,691	32,961	27,966	68,686	25	19,652	7
New Jersey	5,462	29,239	22,218	16,131	35,326	41	8,911	4
Pennsylvania	8,822	50,238	30,284	26,899	53,623	34	9,589	3
North Central	**42,334**	**226,827**	**166,929**	**144,765**	**249,474**	**39**	**36,708**	**28**
Ohio	7,757	25,000	16,200	13,200	28,000	21	8,849	7
Indiana	3,893	18,650	20,200	16,750	22,100	52	2,028	2
Illinois	8,270	63,360	41,577	38,903	65,922	50	9,507	7
Michigan	6,539	25,320	13,058	11,643	26,735	20	6,300	3
Wisconsin	3,408	19,088	10,437	9,458	20,067	31	2,639	1
Minnesota	2,949	27,000	22,000	17,000	32,000	75	1,534	1
Iowa	2,093	8,815	10,384	9,944	9,850	50	639	
Missouri	3,601	17,400	12,880	11,110	19,170	36	2,395	1
North Dakota	468	930	723	555	1,098	15	127	
South Dakota	484	4,300	2,500	1,800	5,000	52	198	
Nebraska	1,134	7,980	7,790	8,000	7,770	69	292	
Kansas	1,738	8,984	9,180	6,402	11,762	53	2,200	1
South	**55,308**	**421,765**	**286,292**	**239,120**	**468,855**	**52**	**77,167**	**52**
Delaware	436	3,762	2,232	2,101	3,893	51	619	
Maryland	3,121	41,661	29,067	22,660	48,068	93	6,436	2
District of Columbia	492	6,562	5,908	5,292	7,178	120	3,045	1
Virginia	3,977	11,463	6,496	5,192	12,679	16	4,783	3
West Virginia	1,400	2,650	2,300	2,100	2,850	16	475	
North Carolina	4,320	36,467	19,932	18,033	38,372	46	6,496	9
South Carolina	2,235	20,589	9,220	10,639	19,170	41	3,124	1
Georgia	3,930	58,450	34,900	29,800	63,550	89	3,169	2
Florida	7,769	38,906	30,735	24,679	44,962	40	8,823	4
Kentucky	2,602	12,400	11,800	11,100	13,100	45	8,120	6
Tennessee	3,336	9,130	8,760	7,660	10,230	26	3,097	2
Alabama	2,772	10,985	4,762	2,726	13,021	17	2,547	1
Mississippi	1,728	4,864	2,412	1,608	5,668	14	2,292	1
Arkansas	1,634	2,400	1,920	520	3,800	12	2,855	1
Louisiana	2,965	15,120	7,804	7,044	15,880	26	1,819	
Oklahoma	2,235	14,360	7,196	6,933	14,623	32	2,232	1
Texas	10,356	131,996	100,848	81,033	151,811	97	17,235	10
West	**31,958**	**225,742**	**136,538**	**126,475**	**236,167**	**43**	**37,552**	**23**
Montana	563	1,945	954	530	2,369	17	758	
Idaho	650	2,038	1,275	1,247	2,066	20	420	
Wyoming	340	940	900	710	1,130	27	154	
Colorado	2,153	12,238	8,963	8,426	12,775	42	927	1
New Mexico	916	2,794	1,814	1,078	3,530	20	884	
Arizona	1,993	12,584	7,456	5,751	14,289	37	1,093	1
Utah	954	6,889	6,922	6,465	7,346	72	767	
Nevada	622	4,989	2,281	1,599	5,671	37	1,052	
Washington	3,074	12,527	2,795	1,774	13,948	9	14,669	1
Oregon	1,933	12,201	6,927	4,936	14,192	36	2,738	1
California	17,784	151,085	92,207	90,691	152,563	52	13,446	16
Alaska	279	1,181	516	383	1,314	18	130	
Hawaii	703	4,331	3,528	2,885	4,974	50	514	

Sources: Adult resident population (18 and over) from the U.S. Bureau of the Census Supplementary Report P-25, No. 913; parole data from the 1981 UPR Parole Data Survey; probation data from the 1981 NPR Probation Data Survey. UPR/NPR estimates were used for missing values; details on sources and estimation procedures will appear in Parole in the United States: 1980 and 1981 1980 and 1981. Data to revision.

Parole			
1981			1981
ries	Exits	Population 12/31/81	Entries per 10,000
677	**129,678**	**223,774**	**8**
545	11,855	21,342	
132	**117,823**	**202,432**	
875	**18,138**	**46,096**	**5**
26	35	204	-
208	170	479	3
143	165	271	4
295	1,961	3,405	3
192	205	244	3
486	1,234	2,184	6
714	7,501	19,865	6
422	3,627	9,706	8
389	3,240	9,738	4
141	**29,271**	**35,584**	**7**
455	7,804	8,471	10
548	2,421	2,155	7
234	8,467	8,274	9
800	4,700	5,400	6
815	1,601	2,853	5
049	950	1,633	4
634	488	785	3
649	1,109	2,970	5
164	162	129	4
302	241	259	6
291	328	255	3
200	1,000	2,400	7
513	**47,554**	**82,457**	**9**
469	464	624	11
757	3,061	6,132	9
900	1,145	3,800	39
539	2,685	5,637	9
390	380	485	3
427	8,901	6,875	22
423	1,241	3,306	6
510	3,027	2,652	6
525	6,728	6,620	6
130	5,050	9,200	24
784	2,601	3,280	8
748	1,934	2,361	6
655	1,213	2,734	10
406	1,343	2,918	9
705	611	1,913	2
013	946	2,777	5
828	6,401	21,662	10
603	**22,860**	**38,295**	**7**
208	324	642	4
202	226	396	3
171	120	205	5
184	1,015	1,096	5
478	268	1,094	5
007	781	1,319	5
441	435	773	5
544	424	1,172	9
359	926	15,102	4
435	2,422	1,751	7
431	15,763	14,114	9
80	70	140	3
63	86	491	1

and Probation in the United States:
n this table are preliminary and subject

one out of every three States reported decreases during 1981.

Probation and parole evolved independently and occur at different points in the criminal justice process, but they have become very similar in practice. In many States, a single agency administers both probation and parole, staff supervise combined caseloads, and probationers and parolees must follow identical conditions. The main difference is in the process by which a person is placed on, and removed from, probation and parole. Probation is under judicial control and is granted and terminated by the court, but parole is under the jurisdiction of State paroling authorities. The paroling authorities may or may not have the power to grant parole (depending on whether this function has been replaced by mandatory conditional release), but in either case, they have the power of revocation.

During 1981, almost 900,000 offenders entered community supervision (753,460 on probation and 132,677 on parole). Entry rates for probation and parole (number of entries per 10,000 adult residents) are presented in the table. The combined community supervision entry rate for 1981 was 53: the probation entry rate 45 and the parole entry rate 8. Rates based on entries during the year, rather than on yearend populations, were chosen because they are measures of current probation and parole use, more directly responsive to changes in legislation and policy.

Probation

Nationwide during 1981, 45 persons per 10,000 were placed on probation. That is, the 1981 U.S. probation entry rate was 45. The median State probation entry rate was 38. State rates were lowest in Washington (9) and highest in Texas (97). (The District of Columbia's rate of 120 requires special comment; as a wholly urbanized area, the District is clearly an anomaly and not properly comparable to the States.)

State probation entry rates point up the wide State-to-State variation in probation practices. In some States probation is ordered only when thorough supervision will accompany the order; in others it often functions simply as a suspended sentence. Many probation agencies provide liaison between the court and various social service agencies; for example, probation officers monitor offenders' compliance with court-ordered conditions (such as attendance at drug rehabilitation centers, drunk driving schools, or family counseling sessions; payment of fines, restitution, or child support). Some States count persons monitored in this way as probationers, but some do not; and in some States such monitoring is not done by probation agencies at all.

Generalizing from comparisons of probation entry rates across the country would require an analysis of State probation practices. However superficial a measure they may be, though, the rates do provide some indication of the use of probation as a sanction. For persons familiar with probation practices in their own and neighboring States, these rates may also facilitate the substantive comparisons not made in this bulletin.

Parole

The 1981 U.S. parole entry rate was 8; the median State parole entry rate was 6. State rates ranged from less than 1 in Maine to 24 in Kentucky. (The District of Columbia's parole entry rate of 39, like its probation entry rate, is not directly comparable to State rates.)

Two major factors influence parole entry rates. The first is prison population. For example, both North Carolina's prison population rate and its parole entry rate are among the highest in the nation; on the other hand, New Hampshire has both prison population and parole entry rates far below the national averages. But parole entry rates are not linked solely to the size of the prison population. The second factor is the relative frequency of conditional and unconditional release from prison. For example, Louisiana's prison rate is above the national average, but 70% of its prison releases during 1981 were unconditional, so its parole entry rate — 2 per 10,000 — was low.

The rate of persons entering parole, in turn, affects the size of the parole population, but only in combination with the length of the parole supervision term. This is particularly apparent in Washington, where long parole terms are the rule; its 1981 parole entry rate was 4 (only 1,359 new cases), yet its parole population of 15,102 was exceeded only by New York, Texas, and the Federal system. By contrast, States whose entries during the year roughly equaled their yearend parole population quite likely routinely imposed 1-year parole terms; for example, California's entries (16,431) exceeded its yearend population (14,114), which was similar in size to that of Washington.

Most persons (70%) entering parole during 1981 were released from prison as a result of a parole board decision (discretionary parole entries). Another 26% were mandatory parole entries as required by post-release supervision provisions of determinate sentencing statutes or as a result of good-time reductions. The third group of parole entries was made up of "other" types — reactivated and reinstated cases; special "add-on" paroles; and entries resulting from ad hoc release of prisoners to relieve prison crowding. These proportions within the parole entry population

(70% discretionary parole, 26% mandatory parole, and 4% other) are similar to those in 1980 (73%, 23%, and 3%) and in 1979 (75%, 22%, and 3%). During 1981, 37% of all mandatory parole entries were in California, and another 21% in Illinois. California, Illinois, Indiana, New York, Texas, Virginia, and the Federal system together accounted for well over 90% of all mandatory entries to parole.

Further reading

Data in this report are preliminary and subject to revision. Final reports will be published under the titles Probation in the United States: 1980 and 1981 and Parole in the United States: 1980 and 1981. Earlier reports in these series are available from the National Council on Crime and Delinquency's San Francisco office, 760 Market Street, Suite 433, San Francisco, CA 94102, or from the Bureau of Justice Statistics. National Prisoner Statistics reports and bulletins are available from the Bureau of Justice Statistics.

Bureau of Justice Statistics Bulletins are prepared by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins. Marilyn Marbrook, head of the bureau publications unit, administers their publication, assisted by Julie A. Furguson. The principal author of this bulletin is Jane Maxwell of the National Council on Crime and Delinquency.

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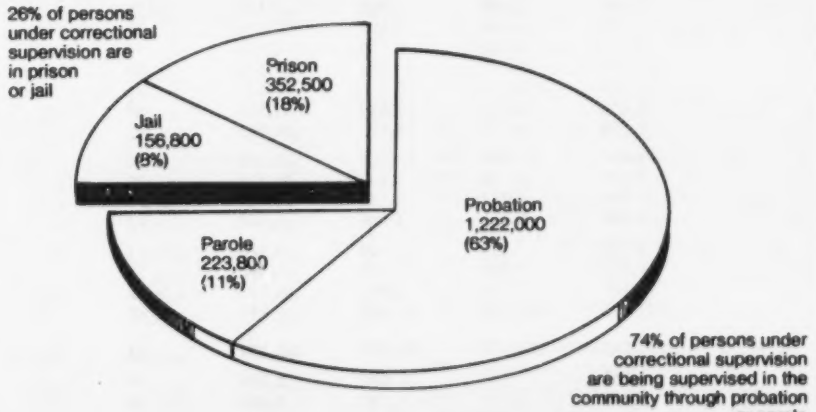
Probation and Parole 1981

Three-fourths of all adult offenders under correctional supervision in the United States are supervised in the community, through probation and parole (see figure below). Probation and parole provide conditional liberty — they permit the offender to live in the community so long as his or her behavior meets certain conditions.

Probation, by far the most prevalent form of correction, traditionally has been used as an alternative to a prison or jail term. According to National Probation Reports data, the current probation population is divided evenly between felons (alternatively in prison) and misdemeanants (alternatively in jail). The courts continue to use probation as a less severe, and less expensive, alternative sanction, but increasingly they are mixing probation with incarceration, through split sentencing and sentence modification.

Parole is community supervision after release from prison or jail; it is intended to ease the transition to "straight" life. Some prisoners are released unconditionally ("no strings attached"), but most are released to parole supervision — either by parole board decision or by mandatory release based on both determinate sentencing statutes and good-time provisions. Uniform Parole Reports data focus exclusively on felons; all were sentenced to more than a year in prison.

Adults under correctional supervision, yearend 1981


26% of persons under correctional supervision are in prison or jail
Prison 352,500 (16%)
Jail 156,800 (8%)
Probation 1,222,000 (63%)
Parole 223,800 (11%)
74% of persons under correctional supervision are being supervised in the community through probation or parole

Who is included in these totals?

The parole population includes all adults under Federal or State parole supervision, whether released from prison via parole board decision or mandatory release.

The probation population includes all adults who, as part of a Federal, State, or local court order, have been placed under the supervisory authority of a probation agency.

The prison population includes all inmates of Federal and State institutions sentenced to more than 1 year. (1981 yearend prison population from BJS, Prisoners in 1981, BJS Bulletin, May 1982, NCJ-82262.)

The jail population includes both convicted and unconvicted adults held in locally operated jails; the figure is for February 1978 and is the most current figure available. (LEAA, Census of Jails and Survey of Jail Inmates, 1978.)

Not included are parolees under county jurisdiction, juveniles, and persons incarcerated in mental health institutions in lieu of prison.

The number of persons on probation and parole continues to grow. During 1981, the probation population rose by more than 100,000 persons, from 1,118,097 to 1,222,024 (a 9% increase); the parole population rose by only about 3,300, from 220,428 to 223,774 (less than a 2% increase). Probation population growth was widespread; all but two States — Nebraska and South Carolina — reported increases during 1981. Parole population growth was less consistent;

August 1982

With this report the Bureau of Justice Statistics (BJS) introduces bulletin readers to statistics from the Uniform Parole Reports (UPR) and National Probation Reports (NPR) programs. UPR, which began collecting parole data in 1965, has two data systems — a summary system and an offender-based system. NPR began collecting summary probation data in 1979 and will soon be piloting an offender-based probation data system. Data in this bulletin are from the two summary systems.

These data are collected annually for BJS by the National Council on Crime and Delinquency's San Francisco office via the UPR Parole Data Survey and the NPR Probation Data Survey and appear in Parole in the United States and Probation in the United States. The generous cooperation of the State probation and parole agencies in participating in these surveys is gratefully acknowledged.

Benjamin H. Renshaw III
Acting Director

J 29.11:

Adult probation and parole, 1981

	Adult Residents 7/1/81 (in thousands)	Probation					Parole	
		Population 12/31/80	1981 Entries	1981 Exits	Population 12/31/81	1981 Entries per 10,000	Population 12/31/80	1981 Entries
UNITED STATES	**166,147**	**1,118,097**	**753,460**	**650,296**	**1,222,024**	**45**	**220,438**	
Federal		45,369	17,202	18,620	43,951		23,652	
State Total		**1,072,728**	**736,258**	**631,676**	**1,178,073**		**196,786**	
Northeast	**36,547**	**198,394**	**146,499**	**121,316**	**223,577**	**40**	**45,359**	
Maine	818	2,419	3,645	3,086	2,978	45	213	
New Hampshire	680	1,663	1,431	1,236	1,858	21	441	
Vermont	373	3,100	2,400	2,100	3,400	64	293	
Massachusetts	4,323	19,562 [a]	29,782	22,131	27,213 [a]	68	4,071	
Rhode Island	716	5,501	3,449	3,235	5,715	48	257	
Connecticut	2,333	22,981	20,329	18,532	24,778	87	1,932	
New York	13,021	63,691	32,961	27,966	68,686	25	19,652	
New Jersey	5,462	29,239	22,218	16,131	35,326	41	8,911	
Pennsylvania	8,822	50,238	30,284	26,899	53,623	34	9,589	
North Central	**42,334**	**226,827**	**166,929**	**144,765**	**249,474**	**39**	**36,708**	
Ohio	7,757	25,000	16,200	13,200	28,000	21	8,849	
Indiana	3,893	18,650	20,200	16,750	22,100	52	2,028	
Illinois	8,270	63,360	41,577	38,903	65,922 [b]	50	9,507	
Michigan	6,539	25,320	13,058	11,643	26,735	20	6,300	
Wisconsin	3,408	19,088	10,437	9,458	20,067	31	2,639	
Minnesota	2,949	27,000	22,000	17,000	32,000	75	1,534	
Iowa	2,093	8,815	10,384	9,944	9,850 [b]	50	639	
Missouri	3,601	17,400	12,880	11,110	19,170	36	2,395	
North Dakota	468	930	723	555	1,098	15	127	
South Dakota	484	4,300	2,500	1,800	5,000	52	198	
Nebraska	1,134	7,980	7,790	8,000	7,770	69	292	
Kansas	1,738	8,984	9,180	6,402	11,762	53	2,200	
South	**55,308**	**421,765**	**286,292**	**239,120**	**468,855**	**52**	**77,167**	
Delaware	436	3,762	2,232	2,101	3,893	51	619	
Maryland	3,121	41,661	29,067	22,660	48,068	93	6,436	
District of Columbia	492	6,562	5,908	5,292	7,178	120	3,045	
Virginia	3,977	11,463	6,496	5,192	12,679 [b]	16	4,783	
West Virginia	1,400	2,650	2,300	2,100	2,850	16	475	
North Carolina	4,320	36,467	19,932	18,033	38,372 [b]	46	6,496	
South Carolina	2,235	20,589	9,220	10,639	19,170	41	3,124	
Georgia	3,930	58,450	34,900	29,800	63,550	89	3,169	
Florida	7,769	38,906	30,735	24,679	44,962	40	8,823	
Kentucky	2,602	12,400	11,800	11,100	13,100	45	8,120	
Tennessee	3,336	9,130	8,760	7,660	10,230	26	3,097	
Alabama	2,772	10,985	4,762	2,726	13,021	17	2,547	
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Louisiana	2,965	15,120	7,804	7,044	15,880	26	1,819	
Oklahoma	2,235	14,360	7,196	6,933	14,623	32	2,232	
Texas	10,356	131,996	100,848	81,033	151,811	97	17,235	
West	**31,958**	**225,742**	**136,538**	**126,475**	**236,167**	**43**	**37,552**	
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Arizona	1,993	12,584	7,456	5,751	14,289	37	1,093	
Utah	954	6,889	6,922	6,465	7,346	72	767	
Nevada	622	4,989	2,281	1,599	5,671	37	1,052	
Washington	3,074	12,527	2,795	1,774	13,948 [b]	9	14,669	
Oregon	1,933	12,201	6,927	4,936	14,192	36	2,738	
California	17,784	151,085	92,207	90,691	152,563 [b]	52	13,446	
Alaska	279	1,181	516	383	1,314	18	130	
Hawaii	703	4,331	3,528	2,885	4,974	50	514	

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[a] These popul
years due to a
[b] The 12/31/8
plus the 1981 e

Parole			
1981			1981
Entries	Exits	Population 12/31/81	Entries per 10,000
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9,545	11,855	21,342	
123,132	**117,823**	**202,432**	
18,875	**18,138**	**46,096**	**5**
26	35	204	-
208	170	479	3
143	165	271	4
1,295	1,961	3,405	3
192	205	244	3
1,486	1,234	2,184	6
7,714	7,501	19,865	6
4,422	3,627	9,706	8
3,389	3,240	9,738	4
28,141	**29,271**	**35,584**	**7**
7,455	7,804	8,471[b]	10
2,548	2,421	2,155	7
7,234	8,467	8,274	9
3,800	4,700	5,400	6
1,815	1,601	2,853	5
1,049	950	1,633	4
634	488	785	3
1,649	1,109	2,970[b]	5
164	162	129	4
302	241	259	6
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52,513	**47,554**	**82,457**	**9**
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2,757	3,061	6,132	9
1,204	968	3,281	24
3,539	2,685	5,637	9
390	380	485	3
9,427	8,901	6,875[b]	22
1,423	1,241	3,306	6
2,510	3,027	2,652	6
4,525	6,728	6,620	6
6,130	5,050	9,200	24
2,784	2,601	3,280	8
1,748	1,934	2,361	6
1,655	1,213	2,734	10
1,406	1,343	2,918	9
705	611	1,913	2
1,013	946	2,777[b]	5
10,828	6,401	21,662	10
23,603	**22,860**	**38,295**	**7**
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one out of every three States reported decreases during 1981.

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State probation entry rates point up the wide State-to-State variation in probation practices. In some States probation is ordered only when thorough supervision will accompany the order; in others it often functions simply as a suspended sentence. Many probation agencies provide liaison between the court and various social service agencies; for example, probation officers monitor offenders' compliance with court-ordered conditions (such as attendance at drug rehabilitation centers, drunk driving schools, or family counseling sessions; payment of fines, restitution, or child support). Some States count persons monitored in this way as probationers, but some do not; and in some States such monitoring is not done by probation agencies at all.

Generalizing from comparisons of probation entry rates across the country would require an analysis of State probation practices. However superficial a measure they may be, though, the rates do provide some indication of the use of probation as a sanction. For persons familiar with probation practices in their own and neighboring States, these rates may also facilitate the substantive comparisons not made in this bulletin.

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The rate of persons entering parole, in turn, affects the size of the parole population, but only in combination with the length of the parole supervision term. This is particularly apparent in Washington, where long parole terms are the rule; its 1981 parole entry rate was 4 (only 1,359 new cases), yet its parole population of 15,102 was exceeded only by New York, Texas, and the Federal system. By contrast, States whose entries during the year roughly equaled their yearend parole population quite likely routinely imposed 1-year parole terms; for example, California's entries (16,431) exceeded its yearend population (14,114), which was similar in size to that of Washington.

Most persons (70%) entering parole during 1981 were released from prison as a result of a parole board decision (discretionary parole entries). Another 26% were mandatory parole entries as required by post-release supervision provisions of determinate sentencing statutes or as a result of good-time reductions. The third group of parole entries was made up of "other" types — reactivated and reinstated cases; special "add-on" paroles; and entries resulting from ad hoc release of prisoners to relieve prison crowding. These proportions within the parole entry population

(70% discretionary parole, 26% mandatory parole, and 4% other) are similar to those in 1980 (73%, 23%, and 3%) and in 1979 (75%, 22%, and 3%). During 1981, 37% of all mandatory parole entries were in California, and another 21% in Illinois. California, Illinois, Indiana, New York, Texas, Virginia, and the Federal system together accounted for well over 90% of all mandatory entries to parole.

Further reading

Data in this report are preliminary and subject to revision. Final reports will be published under the titles Probation in the United States: 1980 and 1981 and Parole in the United States: 1980 and 1981. Earlier reports in these series are available from the National Council on Crime and Delinquency's San Francisco office, 760 Market Street, Suite 433, San Francisco, CA 94102, or from the Bureau of Justice Statistics. National Prisoner Statistics reports and bulletins are available from the Bureau of Justice Statistics.

Bureau of Justice Statistics Bulletins are prepared by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins. Marilyn Marbrook, head of the bureau publications unit, administers their publication, assisted by Julie A. Ferguson. The principal author of this bulletin is Jane Maxwell of the National Council on Crime and Delinquency.

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Households Touched by Crime 1981

September 1982

This is the second year that the Bureau of Justice Statistics has presented a new national indicator of the extent of crime in the United States—specifically, the number of American households touched by crime. The data are drawn from our National Crime Survey (NCS) in which Bureau of the Census interviewers ask persons in more than 60,000 households about their individual victimization experiences. The data have proved remarkably stable over the past year and in earlier years dating back to 1975: One out of eight of the Nation's households was a victim of violent crime (by strangers, family members, or acquaintances) or of household burglary.

Benjamin H. Renshaw III
Acting Director

Close to 25 million households—30% of the Nation's total—were touched by a crime of violence or theft in 1981. The percentage was identical in 1980 and only 2 percentage points lower than in 1975, the first year for which this statistic was computed (figure 1). This indicator reveals that victimization by crime is one of the most common negative life events a family can experience. A family is more likely to have one of its members victimized by rape, robbery, or aggravated assault than to have its home catch fire.

The kinds of households that were the most vulnerable to crime in 1975—black households, higher income households, and households in central cities—remained so in 1981. In 1981, as in the past 6 years, larcenies were the most pervasive of the measured crimes: more than 20% of all U.S. households were victims of at least one larceny. In addition, 7% of all households were the target of at least one completed or attempted burglary, and members of 6% of the households were victims of violent crime, either by strangers or family members/acquaintances (figure 2). Eleven percent of all households were touched by crimes of "high concern"—household burglary and violent crime by strangers (rape, robbery, or assault).

The households-touched-by-crime indicator was introduced by the Bureau of Justice Statistics in 1981. It was developed to improve our understanding of the impact of crime on our society.[1] Measures of the amount of crime have existed for many years, but these measures have not shown how crimes were distributed among groups within the U.S. population. The household was chosen as the unit of analysis because the effects of crime are not limited to the victim alone but are also felt by other members of his or her household.

Households-touched-by-crime statistics are derived from National Crime Survey (NCS) data on rape, personal robbery, assault, household burglary, larceny, and motor vehicle theft.[2] Homicide data are not included in this analysis, but their exclusion does not noticeably affect the estimates presented here. If each of the approximately 22,000 homicides that occurred in 1981 had touched a different household and these households had been touched by no other crime (the largest possible effect), the result would not raise the overall percentage of households touched by crime (30%).[3]

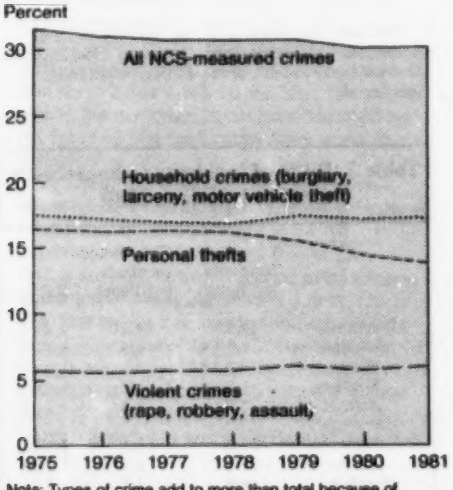
Other crimes against citizens—such as fraud, confidence games, and kidnaping—were not included because no reliable measures are available for either the number of such crimes that occur or the number of households victimized by these crimes.

A household is counted as touched by a crime if it was the victim of that crime at least once during the year. For each type of crime examined, a household is counted only once. For example, if one household member was robbed once during the year and another was assaulted twice, the household would be counted as being touched once by robbery and once by assault. It would,

[1] The Prevalence of Crime, Bureau of Justice Statistics Bulletin, NCJ-75905, March 1981.

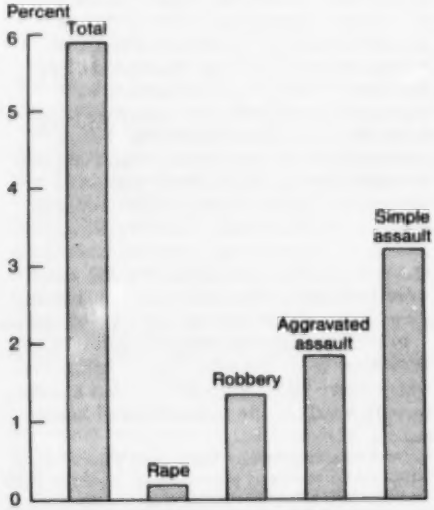
[2] These crimes are defined in Measuring Crime, BJS Bulletin, NCJ-75710, February 1981.

[3] Estimate derived from Uniform Crime Report, 1981 Preliminary Annual Release, FBI, April 1981.



Note: Types of crime add to more than total because of overlap in households touched by different crimes (see text).

Households touched by crime, 1975-81
Figure 1



Percent of households touched by crimes of violence, 1981
Figure 2

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however, be counted only once as touched by crimes of violence and only once in the overall measure of households touched by crime. Consequently, the estimate for "households touched by crimes of violence" and the overall measure, "households touched by crime," will be less than the sum of the component parts.[4]

If one considered the entire range of crimes committed in the United States, every citizen and household is touched by crime, at least economically. For example, crimes against businesses, such as shoplifting, employee theft, and embezzlement—all exact an economic cost from the Nation's households through increased prices in the marketplace and through taxes to pay for law enforcement and other criminal justice activities.

If every household in the Nation pays an economic price for crime, then that third of the Nation's households victimized by crimes of violence or theft bear an extra burden. However, not all Americans face the same risks of becoming a crime victim. In 1981, as in previous years, chances of crime victimization were related to family income and location of residence.

Detailed findings

The decline—from 32% to 30%—in the overall touched-by-crime estimates between 1975 and 1981 reflects a decline—from 15.9% to 13.4%—in the estimate for personal larceny without contact (crimes in which personal property was taken from a place away from home, such as a restaurant or workplace). By contrast, the percentages of U.S. households that were touched by crimes of violence, burglary, household larceny, and motor vehicle theft were almost identical in 1975 and in 1981.

Almost half the households touched by violent crime in 1981 were touched only by simple assault, the least serious violent crime (table 1). About 3% of all American households had members who were victims of rape, robbery, or aggravated assault.

In 1981, of the crimes of violence and theft measured by the NCS, personal larceny without contact affected the most households (13.4%). Household larceny (thefts of property kept in or around the home such as radios, lawn furniture, bicycles, and garden equipment) affected almost as many households (10.2%). Seven percent of U.S. households suffered burglaries, and almost 2% were victims of motor vehicle thefts. Pocket picking and purse snatching (personal larceny with contact) affected the fewest households of any crime of theft (0.6%).

Recent polls show that Americans are becoming increasingly fearful of crime. Violent crime by strangers (or street crime) and burglary are major sources of this public concern. To see how these crimes affect American households, violent crime by strangers and burglary were lumped into a single category called crimes of "high concern." A household was counted as touched by a crime of high concern if during the year it was burglarized at least once or a household member was the victim of a rape, robbery, or assault by strangers.

In 1981, more than 10% of all U.S. households were touched by a crime of high concern. Most of these victimized households were touched only by burglary (7%); about 4% of the households in the Nation had members that were victimized by crimes of violence by strangers. Less than 1% of U.S. households suffered both burglaries and violent crime by strangers.

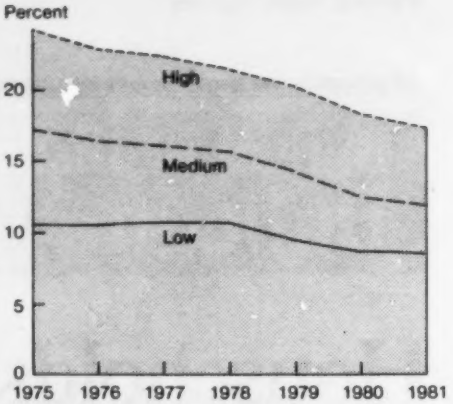
Crimes of high concern were more prevalent—

- among black than among white households,
- among urban than suburban or rural households, and
- among households with incomes under $7,500 than over $15,000.

Within Standard Metropolitan Statistical Areas (SMSA's), households in central cities were more likely to be touched by crime than households in suburban parts of SMSA's, which were more likely to be touched by crime than households in rural areas.[5] Household larceny was more prevalent among households in central cities than among suburban or rural households, but personal larceny without contact was slightly more prevalent in suburban households than in urban households. Urban households were more likely than suburban households to have members who were victims of violent crime, in part because robbery was more than twice as prevalent among urban as among suburban households (2.5% vs. 1.1%). Residents of rural areas were less likely than residents of suburban areas to be victimized by any type of crime.

In 1981, personal larceny without contact continued to be the only type of crime for which there were large differences among income levels in the percentage of households touched by crime. The percentage of households with incomes above $25,000 that were touched by this crime type was more than double that of households with incomes below $7,500 (20.0% vs. 8.6%) (figure 3). No substantial differences were uncovered among income levels for crimes of violence, but households with incomes below $7,500 were more vulnerable to burglary and less vulnerable to household larceny than households with higher incomes.

In 1981, a higher proportion of black than white households were touched by crime (34.8% vs. 29.4%), a change from 1980 when there was only a marginal difference between the two groups (figure 4).[6] Robbery and burglary were more likely to touch black than white households, but larceny was just as likely to strike white as black households (figure 5).



Households touched by personal larceny without contact, by family income, 1975-81
Figure 3

Relationships between crime incidence and households touched by crime

The households-touched-by-crime indicator shows the distribution of crime across the population, and crime volume data show how much crime is occurring. By

[4]For further explanation of this overlap, see The Prevalence of Crime, BJS Bulletin, March 1981.

[5]An SMSA is generally made up of a core city or cities with a combined population of 50,000 or more inhabitants (called the central city) and the surrounding counties that share certain metropolitan characteristics (called suburban areas). Areas outside SMSA's are termed rural for this bulletin.

[6]The seeming increase in the percent of black households touched by crime between 1980 and 1981 (31.8 vs. 34.8) did not prove to be statistically significant.

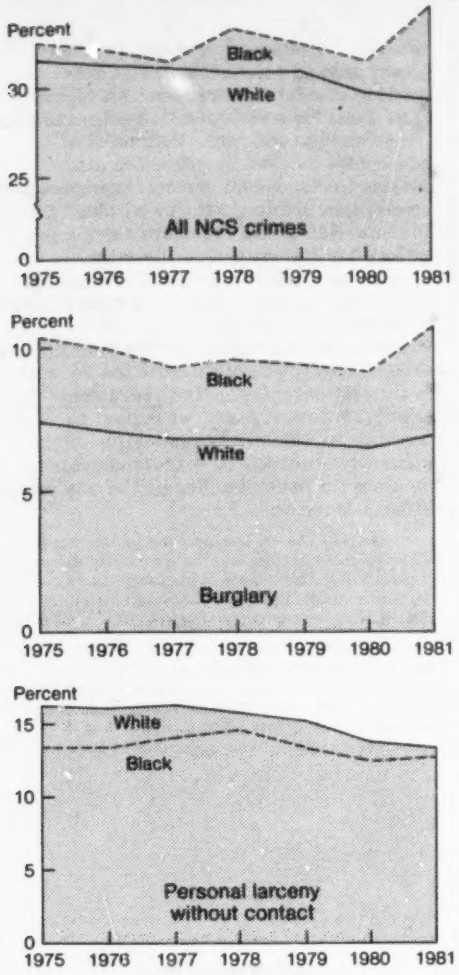
Table 1. Households touched by crime, 1981

	Number (millions)	Percent
U.S. households	82.8	100.0
Households touched by:		
All crimes	24.9	30.0
Rape	0.2	0.2
Robbery	1.1	1.3
Assault:		
Aggravated	1.5	1.8
Simple	2.7	3.2
Larceny	17.7	21.4
Personal	11.5	13.9
Household	8.5	10.2
Burglary	6.1	7.4
Motor vehicle theft	1.3	1.6

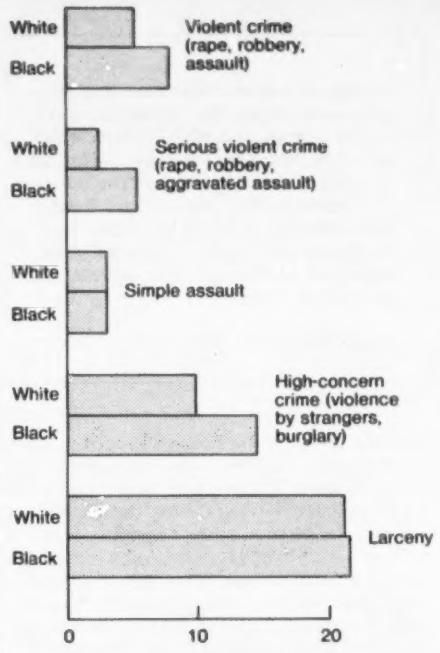
Note: Percent detail does not add to total because of overlap in households touched by various crimes.

Table 2. Ratio of incidents to households touched by crime, 1980

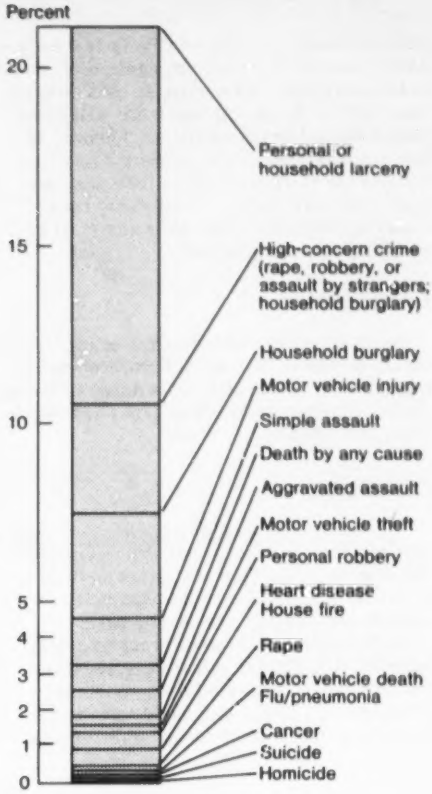
	Incidents (millions)	Households touched (millions)	Ratio
All crimes	37.7	24.2	1.6 : 1
Violent	5.1	4.5	1.1 : 1
Rape	0.2	0.2	1.0 : 1
Robbery	1.0	1.0	1.1 : 1
Assault	3.9	3.6	1.1 : 1
Larceny:			
Personal	14.2	11.4	1.2 : 1
Household	10.2	8.4	1.2 : 1
Burglary	6.8	5.6	1.2 : 1
Motor vehicle theft	1.4	1.3	1.1 : 1



Households touched by selected crimes, by race of household head, 1975-81
Figure 4



Percent of households touched by crime, by race of household head, 1981
Figure 5



Percent of households touched by crime and other negative life events in a year
Figure 6

combining these measures and computing a ratio of the number of incidents to the households touched by those incidents, we gain insight into the extent of multiple victimization of households. A ratio of 1:1 would mean that every household victimized was victimized only once in a single year. Ratios greater than 1:1 reflect the degree to which the average household touched by crime is victimized more than once in a single year.

In 1980, the composite incident-to-households-touched ratio for all crimes was 1:1.6; that is, the average touched household experienced 1.6 incidents (table 2).[7] The ratios for individual types of crime were much lower, ranging from 1:1.0 to 1:1.2. The low ratios for the individual crime types, in conjunction with the higher ratio for all crimes, indicate that relatively few households were multiple victims of the same type of crime in 1980 but that a great many households were victims of at least two different crimes during that year.

[7]NCS incident data were not yet available for 1981, so 1980 incident and households-touched data were used for this aspect of the analysis.

Comparison to other life events

How does the risk of becoming a crime victim compare to other common risks? At present, victimization is one of the few adverse life experiences for which a household-based measure is available. Most other experiences are measured as incidents or events. While there are measures of motor vehicle and other accidents and of diseases contracted, there are no estimates of the number of American households in which members were injured in accidents or contracted a disease. Using the existing incident-based data, rough approximations of households touched by accident, disease, and death were produced in order to put crime victimization in a perspective that allows risk comparisons.[8] (These estimates, in fact, overstate the numbers of households touched by each life event, since no means exist for identifying those households that experience multiple incidence of that event in a given year.) Crime victimization is relatively common compared to a number of other negative life events American households experience (figure 6).[9]

Households are more prone to victimization by the crimes of high concern (burglary and violent crime by strangers) than to have a member injured in motor vehicle accidents, and are more likely to have a member victimized by a robbery than they are to have a member fall victim to cancer or heart disease.

[8]The approximations of households touched by various life events were made using estimates from the Statistical Abstracts of the United States, 1979 and 1980. For each event measured, a households-touched percentage was calculated by dividing the estimate by the number of U.S. households, producing the largest possible estimate of households touched by the event.

[9]It should be kept in mind when examining the chart that the noncrime items in the chart were computed solely to compare them with the crime risks and are only rough estimates of the levels of households touched by accident or disease.

Longer-term crime risks

What are the risks of victimization for periods longer than 1 year? At present, estimates of households touched by crime for periods longer than 1 year are not available. Using the data for 1980 and 1981, however, it is possible to produce a range that includes the percentage of households touched by crime at least once in the 2-year period. Since 30% of American households were touched in each year, the estimate of households touched in the 2-year period lies within a range of 30 to 60%, depending on the number of households that were touched in both years.

If we assume a 50% overlap between years, that is, half of the households victimized in 1980 were victimized again in 1981, then 45% of the households in the United States would have been touched by crime during the 2-year period.

Because the exact degree of overlap is unknown, the range of possibilities is large; however, examining some of these possibilities allows us to begin to understand the implications for the longer-term patterns of crime victimization. If the overlap between

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years is small, that is, relatively few households touched in a year are again victimized in the next year, then close to half or even more of the Nation's households will have been touched by crime within 2 years. If the overlap is large and a great many households victimized in a given year are again victimized in the next year, then a sizeable fraction of people in the Nation bear the burden of crime.

Further reading

To be added to the bulletin mailing list or obtain copies of BJS reports referenced in this bulletin, write to the National Criminal Justice Reference Service, Box 6000, Rockville, Md. 20850.

Methodology

All data in Households Touched by Crime 1981 are from the National Crime Survey. The Bureau of Justice Statistics contracts with the U.S. Bureau of the Census to collect and compile the survey data.

As "households" is used throughout this bulletin, it is the technical equivalent of "residence" or "occupied living quarters" because no attempt was made to locate a household that moved during an interview period. Instead, the household that replaced it at the same address was interviewed for the remainder of the year. Biases produced by households moving during the year affect the estimates to a minor degree because only about 20% of all households move during a typical year. The term "family" has been used as synonymous with "household." Actually, 75% of all households are families, 22% are individuals living alone, and 3% are groups of unrelated individuals.

Because the estimates in Households Touched by Crime 1981 are derived from sample survey data, they are subject to sampling variation.[10] The special techniques used to derive these estimates produce standard errors about 8% higher than those for a victimization estimate with the same base and rate. Estimates of households touched by crime are also subject to respondent errors. Examples are crimes that are forgotten or withheld from the interviewer and therefore cannot be included in the estimates of residences touched by crime. In general, respondent errors tend to understate the actual number of households touched by crime.[11]

The scope of analysis for this bulletin was expanded to topics of interest not covered in the original bulletin The Prevalence of Crime. In future years, we expect to continue to widen the examination of the households-touched-by-crime indicator to enhance our understanding of the way crime affects American citizens.

[10]Details of the NCS sample design, the standard error computation, and the customary estimation procedure for victimization rates and counts may be found in appendix III of the BJS report Criminal Victimization in the United States, 1979, NCJ-76710.

[11]A more detailed description of the procedures used to estimate households touched by crime appears in an unpublished memorandum prepared by the U.S. Bureau of the Census, which collects and compiles the NCS data. The memorandum is available on request from the author at BJS.

Bureau of Justice Statistics Bulletins are prepared principally by the staff of the bureau. Carol B. Kalish, chief of policy analysis, edits the bulletins; Marilyn Marbrook, head of the bureau publications unit, administers their publication, assisted by Julie A. Ferguson and Carol K. Shapiro. The principal author of this bulletin is Michael R. Rand.

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Prisoners at Midyear 1982

October/November 1982

At midyear 1982, the total U.S. prison population reached 394,380, representing a 6-month increase of 6.9%. On an annual basis the 1982 midyear growth is equivalent to 14.3%—2 percentage points higher than in any previous year. Annual prison population growth has exceeded 10% four times since data collection began in 1926: 1927 (11.6%), 1939 (12.2%), 1975 (10.1%), and 1981 (11.8%).

Even if growth slows down considerably for the rest of the year, the prison population will exceed 400,000 during the third quarter and the 1982 increase will most likely set a new high. Should this rate of growth continue for the next two years, the U.S. prison population will exceed one-half million before the end of 1984.

Most of the 6-month increase occurred in the State prison population, which grew by 7.3%. Federal institutions registered a 3.2% increase, substantially below the 16% growth rate experienced for the entire year of 1981. Nonetheless, the continued upward trend in the Federal prison population represents the second year of reversal from the declines recorded during 1978, 1979, and 1980. Although the Federal prison population is still some 3,000 less than its previous high in 1978, it remains 4,000 more than the rated capacity for the Federal system. In both the Federal and State prison systems the result of this growth has been serious overcrowding.

In many States high growth has been caused by both increasing admissions and declining releases. For the Nation as a whole, the percentage increase in admissions to prison during 1981 was 5 times that of releases. Many factors underlie these changes and contribute to this unprecedented growth; some are readily identifiable, some less, and some the subject of disagreement concerning the impact on State correctional systems.

Increased public concern with crime during the 1970's has been reflected in the response of the courts and the legislatures to the problem. The annual growth in the prison population has consistently outpaced the annual growth in arrests in recent years. Widespread adoption of new sentencing and parole laws has lengthened prison stays. Mandatory sentencing laws have been passed in most States, determinate sentencing laws in many States, and parole has been abolished in four States. Mandatory sentencing laws require that persons, once convicted, be incarcerated for a fixed period. Determinate sentencing, while allowing for options such as probation or restitution, requires that confinement, when specified, be for a fixed term. Both types are directed at limiting discretion in the sentencing process in order to assure equity and certainty of punishment.

In addition to changes in sentencing, many States altered their parole policies, adopting guidelines for parole release. Some of these States have reported that after an initial period of increased releases resulting from the change in parole guidelines, there seems to have

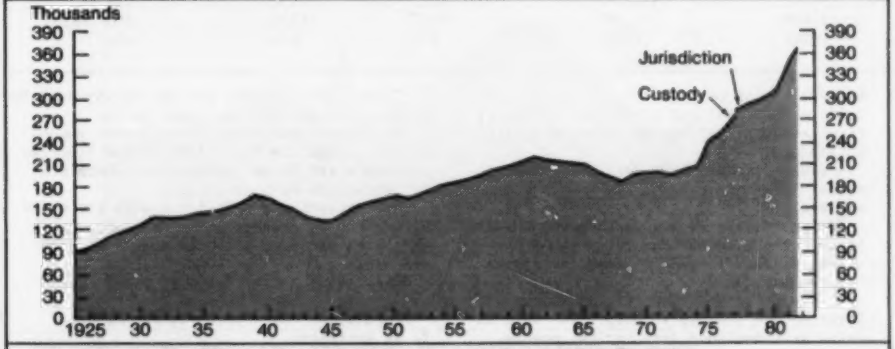
This issue of the bulletin is the second in a series of reports on the Nation's prison population at midyear. These reports are based on a quarterly prison population reporting system introduced by the bureau in 1981, because the mounting population pressures on the Nation's corrections systems required closer monitoring than annual data alone could provide. Public response to these reports indicate that the quarterly data have indeed filled an important information gap for those seeking timely data on the status of American prison populations.

The quarterly data, as well as the more detailed statistics that are collected annually, are made possible only through the cooperation of State correctional officials throughout the country. We are grateful to them for their continued support in providing the data and the interpretive analyses presented in this bulletin.

These data are collected by the U.S. Census Bureau from the departments of corrections in the 50 States and the District of Columbia through the National Prisoner Statistics program of the Bureau of Justice Statistics.

Benjamin H. Renshaw III
Acting Director

Number of sentenced State and Federal prisoners at yearend, 1925 – midyear 1982



Note: Before 1977, NPS reports were based on the custody population. Beginning in 1977, they were based on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Figure 1

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Table 1. Prisoners under jurisdiction of State and Federal correctional authorities, by region and State, yearend 1981 and first and second quarter, 1982

Region and State	Total prisoner population			Percent change from:		Number of sentenced prisoners per 100,000 population 6/30/82[a]
	12/31/81	3/31/82	6/30/82	12/31/81 to 6/30/82	3/31/82 to 6/30/82	
United States	368,772	381,881	394,380	6.9	3.3	163
Male	353,335	365,344	377,238	6.8	3.3	321
Female	15,437	16,537	17,142	11.0	3.7	13
Federal institutions[b]	28,133	28,429	29,033	3.2	2.1	10
State institutions	340,639	353,452	365,347	7.3	3.4	153
Northeast	53,397	55,219	57,465	7.6	4.1	110
Maine	992	922	941	-5.1	2.1	72
New Hampshire	398	426	418	5.0	-1.9	44
Vermont[c]	534	590	631	18.2	6.9	88
Massachusetts	3,889	3,986	4,164	7.1	4.5	72[d]
Rhode Island[c]	962	1,034	1,034	7.5	0.0	79
Connecticut[c]	4,647	5,015	5,351[e]	15.1	6.7	104
New York	25,599	26,372	27,117	5.9	2.8	154
New Jersey[f]	7,011	7,158	7,698	9.8	7.5	100
Pennsylvania	9,365	9,716	10,111	8.0	4.1	85
North Central	72,348	74,185	74,891	3.5	1.0	124
Ohio	14,968	15,600	16,319	9.0	4.6	151
Indiana	8,022	8,346	8,464	5.5	1.4	147
Illinois	13,206	13,533	13,361	1.2	-1.3	106
Michigan[g]	15,157	15,336	14,935	-1.5	-2.6	163
Wisconsin[g]	4,416	4,466	4,544	2.9	1.7	96
Minnesota	2,024	2,003	2,031	0.3	1.4	50
Iowa[h]	2,670	2,769	2,774	3.9	0.2	91
Missouri	6,489	6,502	6,639	2.3	2.1	134
North Dakota[i]	280	351	370	32.1	5.4	44
South Dakota	693	737	742	7.1	0.7	105
Nebraska	1,653	1,665	1,707	3.3	2.5	96
Kansas	2,770	2,877	3,005	8.5	4.4	126
South	159,712	166,296	172,025	7.7	3.4	215
Delaware[c]	1,712	1,826	1,937	13.1	6.1	229
Maryland	9,335	9,831	10,377	11.2	5.6	229
District of Columbia[c]	3,479	3,610	3,790	8.9	5.0	496
Virginia	9,388	9,515	9,648	2.8	1.4	171
West Virginia	1,565	1,570	1,433	-8.4	-8.7	71
North Carolina[i]	15,791	16,625	16,562	4.9	-0.4	258
South Carolina	8,538	8,747	9,011	5.5	3.0	266
Georgia[f]	12,444	12,761	14,053	12.9	10.1	245
Florida	23,589	24,578	26,466	12.2	7.7	248
Kentucky	4,167	4,151	4,358	4.6	5.0	119
Tennessee	7,897	8,187	8,156	3.3	-0.4	176
Alabama	7,657	7,802	8,168	6.7	4.7	203
Mississippi	4,624	4,975	5,158	11.5	3.7	198
Arkansas[j]	3,328	3,483	3,607	8.4	3.6	156
Louisiana	9,415	9,798	10,084	7.1	2.9	232
Oklahoma[i]	5,281	5,540	5,924	12.2	6.9	189
Texas[h]	31,502	33,297	33,293	5.7	-0.0	222
West	55,182	57,752	60,966	10.5	5.6	132
Montana	831	859	875	5.3	1.9	110
Idaho	957	1,002	1,026	7.2	2.4	106
Wyoming	587	619	654	11.4	5.7	131
Colorado[i]	2,772	2,847	3,026	9.2	6.3	101
New Mexico	1,497	1,615	1,717	14.7	6.3	121
Arizona	5,223	5,451	5,641	8.0	3.5	199
Utah	1,140	1,179	1,189	4.3	0.8	76
Nevada	2,116	2,324	2,552	20.6	9.8	295
Washington	5,336	5,569	5,896	10.5	5.9	139
Oregon	3,295	3,476	3,593	9.0	3.4	135
California	29,202	30,402	32,182	10.2	5.9	126
Alaska[c,j]	1,019	1,142	1,297	27.3	13.6	200
Hawaii[c,k]	1,207	1,267	1,318	9.2	4.0	86

NOTE: Prisoner counts may differ from those reported in previous publications and are subject to revision as updated figures become available.

[a]Unpublished Bureau of the Census estimates for the resident population on December 31, 1981, were used to calculate rates of incarceration. Sentenced prisoners are defined as those serving sentences of more than one year.

[b]Federal Bureau of Prisons data include the following number of persons held under jurisdiction of the Immigration and Naturalization Service: 1,921 on 12/31/81; 2,062 on 3/31/82; and 1,925 on 6/30/82. First quarter 1982 figure is actually for 2/28/82.

[c]Figures include both jail and prison inmates; jails and prisons are combined into one system.

[d]Massachusetts cannot distinguish inmates by sentence length; therefore, the incarceration rate is based on the total prisoner population.

[e]Connecticut's midyear figure includes State prison inmates in hospitals; such inmates were excluded from earlier counts.

[f]Figures for Georgia and New Jersey exclude State prisoners held in local jails.

[g]Michigan's and Wisconsin's latest population counts are dated 2/28/82 and 5/31/82.

[h]Iowa's and Texas' population counts are for prisoners in custody only.

[i]The following population counts are estimates: North Dakota, 3/31; Colorado, 6/30; and North Carolina and Oklahoma, both 3/31 and 6/30.

[j]Population counts for 6/30 for Arkansas and Alaska are estimates.

[k]Population count for 3/31 for Hawaii is an estimate.

Table 2. Change in total prison population, 1974 – midyear 1982

Year	Number	Percent change
1974	229,721	
1975	253,816	10.5
1976	278,000	9.5
1977 (custody)	291,667	4.9
1977 (jurisdiction)	300,024	NA
1978	307,276	2.4
1979	314,457	2.3
1980	329,821	4.9
1981	368,772	11.8
1982 midyear	394,380	6.9 (6 mos.)

NOTE: Before 1977, NPS reports were based on the custody population. Beginning in 1977, they were based on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

NA Not applicable.

Table 3. The prison situation at midyear 1982

States with 10,000 or more prisoners		States with increases of 10% or more since 1981		States with increases of 500 or more since 1981		States with incarceration rates of 200 or more per 100,000 U.S. population	
Texas	33,293	North Dakota	32.1	California	2,980	Nevada	295
California	32,182	Alaska	27.3	Florida	2,877	South Carolina	266
New York	27,117	Nevada	20.6	Texas	1,791	North Carolina	258
Florida	26,466	Vermont	18.2	Georgia	1,609	Florida	248
North Carolina	16,562	Connecticut	15.1	New York	1,518	Georgia	245
Ohio	16,319	New Mexico	14.7	Ohio	1,351	Delaware	229
Michigan	14,935	Delaware	13.1	Maryland	1,042	Maryland	229
Georgia	14,053	Georgia	12.9	North Carolina	771	Louisiana	232
Illinois	13,361	Florida	12.2	Pennsylvania	746	Texas	222
Maryland	10,377	Oklahoma	12.2	Connecticut	704	Alabama	203
Pennsylvania	10,111	Mississippi	11.5	New Jersey	687	Alaska	200
Louisiana	10,084	Wyoming	11.4	Louisiana	669		
		Maryland	11.2	Oklahoma	643		
		Washington	10.5	Washington	560		
		California	10.2	Mississippi	534		
				Alabama	511		

NOTE: The District of Columbia, as a wholly urban area, is excluded from the list of States with high incarceration rates. Alaska's and Delaware's rates are based on a combined jail/prison population.

been a "piling-up" effect as persons with longer sentences accumulate in prison.

Several States also mentioned new and tougher laws on drunk driving as a contributing factor in the growth of their prison populations.

Economic conditions were cited by some States as playing a role in the increase in commitments, especially for property offenses. Other States, with combined jail/prison systems, noted a significant rise in the number of persons unable to make bail.

The continued growth of the population group most prison prone, 20-29-year-old males, has been a major factor in the growth of the prison population. During the 1970's, this component of the U.S. population grew by more than 35%, even faster than in the 1960's, as the "baby-boom" generation born between the mid-1940's and the mid-1960's reached their twenties. Had incarceration rates for this group remained constant, its mere size would have increased the prison rolls. But, in fact, the rate of incarceration for males in this age group has grown steadily since 1972 and even more sharply since 1980.[1]

As a result of these factors impacting on prison populations, in several States new bed space expected to relieve existing overcrowding served only to absorb some of the inflow, leaving conditions as crowded or more crowded than before.

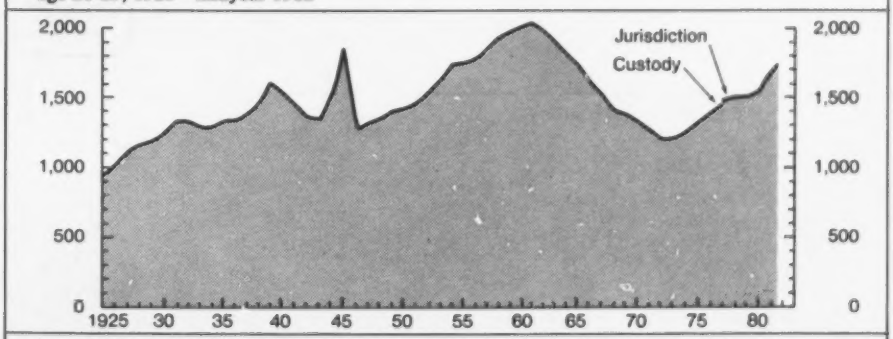
Texas, California, New York, and Florida all had prison populations exceeding 25,000 at midyear 1982. These four States alone accounted for one-third of all State prisoners. Texas, with a 6-month increase of 5.7%, continued to experience severe pressure on its prison capacity despite almost stabilized growth in the second quarter. California, with a 10.2% half-year increase, enacted a mandatory sentencing law for violent offenders in 1980, which California officials say is affecting prison growth now. New York also attributed its 5.9% increase partially to mandatory sentencing, as well as to increased prosecutorial attention to felony cases. Florida, with a 12.2% increase for the 6-month period, cited increased admissions and declining paroles, due in part to unemployment in the State.

Georgia, although ranking eighth in overall size of prison population, added more than 1,600 prisoners to its rolls, the highest increase after California, Florida, and Texas.

In addition to California, three States with prison populations of more than 10,000 had 6-month growth rates of more

[1]Incarceration rates are based only on those prisoners sentenced to more than a year to minimize differences between States with combined jail-prison systems and those without such systems.

Sentenced State and Federal prisoners per 100,000 U.S. male population age 20-29, 1925 – midyear 1982



Note: Before 1977, NPS reports were based on the custody population; beginning in 1977, they were based on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Figure 2

Table 4. Women in State and Federal institutions, 1974 – midyear 1982

Year	Number	Percent change	Percent of prison population
1974	8,091		3.5
1975	9,667	19.5	3.8
1976	11,170	15.5	4.0
1977 (custody)	12,041	7.8	4.1
1977 (jurisdiction)	12,279	NA	4.1
1978	12,746	3.8	4.2
1979	12,995	2.0	4.3
1980	13,420	3.3	4.1
1981	15,437	15.0	4.2
1982 midyear	17,142	11.0 (6 mos.)	4.4

NOTE: Before 1977, NPS reports were based on the custody population. Beginning in 1977, they were based on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

NA Not applicable.

Table 5. Quarterly growth rate in State and Federal institutions during 1982

Period	All prisoners	Sentenced to more than 1 year	Sentenced to 1 year or less or unsentenced
First quarter	3.6%	3.2%	11.7%
Second quarter	3.3	2.9	10.0
First 6 months	6.9	6.2	22.8

than 10%: Georgia (12.9%), Florida (12.2%), and Maryland (11.2%). All three States also had incarceration rates higher than 200 prisoners per 100,000 population, while California's rate was 126. Five States with inmate populations in the 2,000-10,000 range had growth rates above 10% in the first half year: Nevada (20.6%), Connecticut (15.1%), Oklahoma (12.2%), Mississippi (11.5%), and Washington (10.5%). Also among the States with the highest percentage increases for the first 6 months of 1982 were several with relatively small (under 2,000) prison populations: North Dakota (32.1%), Alaska (27.3%), Vermont (18.2%), New Mexico (14.7%), Delaware (13.1%), and Wyoming (11.4%).

North Dakota, the State with the highest percentage increase during the first half of 1982, also has the lowest incarceration rate, 44 per 100,000. At the end of June, the State confined only 370 inmates. Nonetheless that figure has doubled during the past 2 1/2 years. North Dakota officials have pointed to stricter parole policies and enhanced drug enforcement as contributing factors. Nevada—the State with the highest incarceration rate, 295 per 100,000, and the third highest rate of increase—has enlarged its prison population by 2/3 during the past 2 1/2 years. Nevada officials point to a 1980 law increasing the minimum amount of time all prisoners must serve as a major cause.

Three States—Maine, Michigan, and West Virginia—had a net decline in prisoners for the 6 months, but none of the three showed decreases in both quarters of 1982. Maine's decline of 5% took place entirely in the first quarter, while Michigan's and West Virginia's populations declined only in the second quarter. Michigan was under a court order to reduce its population because of overcrowding. West Virginia increased the number of prisoners paroled and those released by court.

The growth recorded during 1981 among women prisoners was surpassed during the first half of 1982. The 11% increase registered for women by midyear was almost twice that for men. Since 1974, the number of women in the Nation's prisons has more than doubled, while that of men increased by 70%. Yet, the proportion of prisoners who are women remained relatively stable at about 4%, and their rate of incarceration is only a fraction of that for men: 13 vs. 321 per 100,000 U.S. population.

Although unsentenced persons and those with sentences of one year or less comprised only 5% of the prison population, the growth in this component is taxing many facilities.[2] The short-sentence/no-sentence group increased by 22.8% in the first 6 months of 1982, compared to a 6.2% increase for those with longer sentences. Their increase was particularly high in a few jurisdictions, including Alaska, Delaware, and the District of Columbia, which operate combined jail/prison systems. In Vermont, also with a combined system, pretrial inmates who could not make bail contributed to the increase.

[2]Unsentenced persons may be incarcerated under various conditions. In combined prison/jail systems, they are usually awaiting trial. California has a large number of civil commitments to correctional facilities for narcotics addicts. Other miscellaneous reasons include safekeeping and presentence evaluation and such confinements are usually for brief periods of time.

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October/November 1982, NCJ-84875

Further reading

A final report on the prison population at yearend 1981 will be published in the spring of 1983. To obtain the final 1980 report, NCJ-80520, or other National Prisoner Statistics bulletins, or to be added to the bulletin or corrections mailing lists, write to the National Criminal Justice Reference Service, User Services Dept. 2, Box 6000, Rockville, Md. 20850. Other NPS bulletins include—

- Prisoners in 1981, 5/82, NCJ-82262;
- Death-row Prisoners 1981, 7/82, NCJ-83191;
- Prisons and Prisoners, 1/82, NCJ-80697;
- Veterans in Prison, 10/81, NCJ-79232.

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Prisoners 1925–81

December 1982

This bulletin presents the reader with 57 years of data on prison populations from the statistical series, "Prisoners in State and Federal Institutions." Along with the series, we have included a discussion of its trends and of the development and expansion of the series. With our continuing publication of end-of-year and midyear data on prison populations, there has been new interest in the statistical series from which these data are derived. We intend the historical series to be especially useful to those engaged in analyzing recent trends.

Benjamin H. Renshaw III
Acting Director

The number of persons sentenced to State and Federal correctional institutions has been recorded annually since 1925. It is therefore possible to view the rapid growth of prison population over the past 9 years against the background provided by nearly 50 years of earlier data. In general, the trend in prison population over the entire period has been one of upward growth, about half of which reflects the growth in the general population during that time (table 1 and figure 1).

The average annual growth rate for the prison population during 1925-81 was 2.4 percent; for the residential population of the United States it was 1.2 percent. The more rapid growth of the prison population is also reflected in the incarceration rate (the number of sentenced prisoners for each 100,000 residents in the United States), which rose from 79 per 100,000 to 153 per 100,000 (figure 2).

Although the long-range trend in prison population has been upward, it has not been without interruptions, the two longest and deepest occurring during World War II and the Vietnam era.

Between 1925 and 1939 the number of sentenced prisoners grew by 88,000, an average annual rate of 5 percent, substantially higher than for the entire 1925-81 period even though there was virtually no growth during the depth of the depression, 1932-34. By 1939 the incarceration rate had reached 137 per 100,000, a level it was not to reach again for 41 years.

During World War II, the prison population declined by nearly 50,000 in 5 years as most of the pool of potential offenders was drafted. By 1946 the incarceration rate had dropped to 99 per 100,000. From 1944 to 1961 the prison population increased in every year but one, although the annual gains were uneven, and in 1961 the incarceration rate peaked at 119 per 100,000.

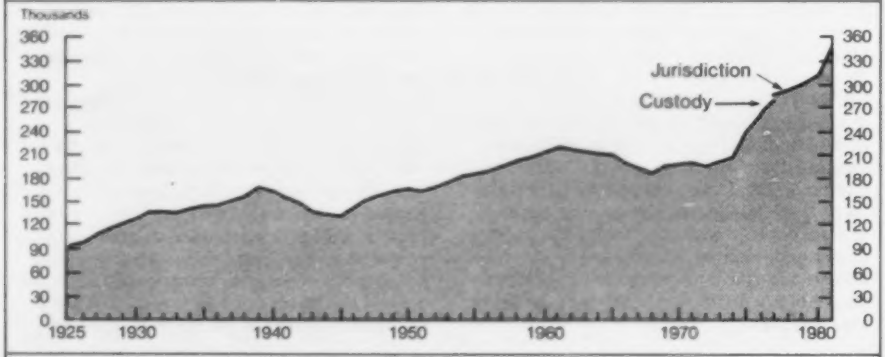
During the Vietnam era, the prison population declined by 30,000 between 1961 and 1968. The 1968 prison population was 188,000 and the incarceration rate the lowest since the late 1920's.

From this low the prison population and the incarceration rate grew rather slowly for 5 years, but in 1974 began a dramatic rise that added nearly 150,000 sentenced inmates to the national prison population in 8 years. The average annual increase during this period was 7.1 percent compared to 2.4 percent for the entire 1925-81 period. At the end of 1981 the incarceration rate was 153 per 100,000, the highest ever recorded. The first 9 months of 1982 further accelerated this trend, bringing the incarceration rate to 169 on September 30.

Historical data

The first attempt to count all of the prisoners in the United States was made in the decennial population census of 1850. Counts of prisoners were included in each

Number of sentenced State and Federal prisoners, yearend 1925–81



Note: Prior to 1977, NPS reports were based on the custody population. Beginning in 1977, focus is on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Figure 1

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Table 1. Sentenced prisoners in State and Federal institutions: Number and incarceration rates, 1925-81[1]

	Total	Rate	Males	Rate	Females	Rate
1925[2]	91,669	79	88,231	149	3,438	6
1926	97,991	83	94,287	157	3,704	6
1927	109,983	91	104,983	173	4,363	7
1928	116,390	96	111,836	182	4,554	8
1929	120,496	98	115,876	187	4,620	8
1930	129,453	104	124,785	200	4,668	8
1931	137,682	110	132,638	211	4,444	7
1932	137,997	110	133,573	211	4,424	7
1933	136,810	109	132,520	209	4,290	7
1934	138,316	109	133,769	209	4,547	7
1935	144,180	113	139,278	217	4,902	8
1936	145,038	113	139,990	217	5,048	8
1937	152,741	118	147,375	227	5,366	8
1938	160,285	123	154,826	236	5,459	8
1939	179,818	137	173,143	263	6,675	10
1940[3]	173,706	131	167,345	252	6,361	10
1941	165,439	124	159,228	239	6,211	9
1942	150,384	112	144,167	217	6,217	9
1943	137,220	103	131,054	202	6,166	9
1944	132,456	100	126,350	200	6,106	9
1945	133,649	98	127,609	193	6,040	9
1946	140,079	99	134,075	191	6,004	8
1947	151,304	105	144,961	202	6,343	9
1948	155,977	106	149,739	205	6,238	8
1949	163,749	109	157,663	211	6,086	8
1950	166,123	109	160,309	211	5,814	8
1951	165,680	107	159,610	208	6,070	8
1952	168,233	107	161,994	208	6,239	8
1953	173,579	108	166,909	211	6,670	8
1954	182,901	112	175,907	218	6,994	8
1955	185,780	112	178,655	217	7,125	8
1956	189,565	112	182,190	218	7,375	9
1957	195,414	113	188,113	221	7,301	8
1958	205,643	117	198,208	229	7,435	8
1959	208,105	117	200,469	228	7,636	8
1960	212,953	117	205,265	230	7,688	8
1961	220,149	119	212,268	234	7,881	8
1962	218,830	117	210,823	229	8,007	8
1963	217,283	114	209,538	225	7,745	8
1964	214,336	111	206,632	219	7,704	8
1965	210,895	108	203,327	213	7,568	8
1966	199,654	102	192,703	201	6,951	7
1967	194,896	98	188,661	195	6,235	6
1968	187,914	94	182,102	187	5,812	6
1969	196,007	97	189,413	192	6,594	6
1970	196,429	96	190,794	191	5,635	5
1971[4]	198,061	95	191,732	189	6,329	6
1972	196,092	93	189,823	185	6,269	6
1973	204,211	96	197,523	191	6,004	6
1974	218,466	102	211,077	202	7,389	7
1975	240,593	111	231,918	220	8,675	8
1976	262,833	120	252,794	238	10,039	9
1977[5]	278,141	126	267,097	249	11,044	10
1977	285,456	129	274,244	255	11,212	10
1978	294,396	132	282,813	261	11,583	10
1979	301,470	133	289,465	264	12,005	10
1980	315,974	138	303,643	274	12,331	11
1981	353,167	153	338,940	302	14,227	12

[1]The incarceration rate is the number of prisoners per 100,000 residential population.
[2]Data for 1925 through 1939 include sentenced prison in State and Federal prisons and reformatories whether committed for felonies or misdemeanors.
[3]Data for 1940 through 1970 include all adult felons serving sentences in State and Federal institutions.
[4]Data for 1971 to present include all adults or youthful offenders sentenced to State or Federal correctional institutions whose maximum sentence was over a year.
[5]Before 1977 only prisoners in the custody of State and Federal correctional systems were counted. After 1977 all prisoners under the jurisdiction of State and Federal correctional systems were counted Figures for both custody and jurisdiction are shown in for 1977 to facilitate comparisons.

subsequent decennial census through 1890. In the years 1904, 1910, and 1923 special separate enumerations of the prison population were made. Then in 1926 under a mandate from Congress the National Prisoner Statistics program began to collect statistics on prisoners on an annual basis.[1] Since its inception, the program has depended entirely on the voluntary participation of State departments of corrections and the Federal Bureau of Prisons.

The complete National Prisoner Statistics program consists of a count of the number of State and Federal prisoners on December 31 of each year; a count of the number of persons admitted to and released from prison each year (by type of admission and release); the number of persons executed annually (beginning in 1930); the yearend population of death row (beginning in 1953); and, for selected years prior to 1974 and annually thereafter, the characteristics of persons admitted to and released from prison. This discussion focuses entirely on the statistics for the yearend prison population.

The difficulty in collecting prison statistics, or indeed most criminal justice statistics, for the United States as a whole arises not only from differences in record-keeping and statistics-gathering in each State but also, and more important, from the different criminal justice practices in each State. Therefore, since the beginning of the prison population series, special and continuing attention has been directed at making the population counts for the individual States as comparable as possible, given the range of sentencing laws and practices among the States. Nevertheless, each annual report published by the Bureau of Justice Statistics contains an appendix specifying the ways in which data reported for each State deviate from the standard definitions. In recent years, these deviations generally have been minor. In the earlier years of the series this was not always the case. Early publications often warned the reader to use caution in making direct comparisons between the statistics for one State and another.

Definitional changes

From the beginning, the National Prisoner Statistics program has attempted to count persons imprisoned for serious crimes. The original definition included adult prisoners sentenced to and confined in State and Federal prisons and reformatories. Consequently, the data included persons convicted for misdemeanors as well as those convicted for felonies. There was not at that time, and there still is not, a standard definition of "felony" and "misdemeanor" that is applicable in all States. In general, felonies are more serious crimes than misdemeanors. For example, all major crimes—such as murder, rape, and robbery—are always felonies. All minor crimes still serious enough to have incarceration as a possible sentence—such as drunkeness, loitering, and disturbing the peace—are misdemeanors. It is for the crimes that fall in between that the distinction is often blurred. Because the aim of the sentenced prisoner series was to collect data on serious offenders, the series excluded inmates of city and county jails (who are mostly sentenced misdemeanants or persons awaiting trial). Nevertheless, some misdemeanants were included in the series, especially in the few States that operated combined jail-prison systems.

In 1940 the definition of sentenced prisoners was changed to eliminate more inmates serving time for minor offenses. It was assumed, not entirely accurately,

[1]The NPS program was begun by the Census Bureau. It was transferred to the Bureau of Prisons in 1950 and to the National Criminal Justice Information and Statistics Service (now the Bureau of Justice Statistics) of the Law Enforcement Assistance Administration in 1971. Since that time the Census Bureau has served as the data collection agent for the Bureau of Justice Statistics.

that felons always served sentences lasting more than 6 months. They almost always do, but so do some misdemeanants. Nevertheless, the series was redefined as adult felons serving time in State or Federal institutions, with a felon presumed to be someone serving a maximum sentence of 6 months or more. This did eliminate misdemeanants serving sentences of less than 6 months and thereby focused the series more sharply on the serious offender.

In 1971, to further restrict the series, the term "felon" was discarded and the States were asked to report only on prisoners with maximum sentences of more than a year. This not only eliminated additional misdemeanants from the count, it also established uniformity across States around the most widely accepted definition of a felon, someone with a maximum sentence of more than a year.

The definition also was expanded to encompass persons sentenced as youthful offenders as well as those sentenced as adults. The Federal system and several States have youthful offender statutes. Youthful offenders are above the legal maximum age of juveniles (which varies from State to State) and are usually below the age of 25. They are frequently assigned to separate sections of adult correctional facilities or to completely separate facilities. Persons in this age group may be tried and sentenced as adults, however, just as they are in States without youthful offender statutes.

The definition of sentenced prisoners adopted in 1971 is currently in use. Although two definitional changes have been made since the series began, each change was designed to sharpen the original concept of the series, that is, to measure the number of serious offenders sentenced to prison.

Table 2. Prisoners in State and Federal institutions: Total and prisoners with short sentences or no sentences, 1974-81

	Total prisoners	Short-sentence and unsentenced prisoners[1] Total	Male	Female
1974	229,721	11,516	10,749	767
1975	253,816	11,066	10,249	817
1976	278,000	15,167	14,036	1,131
1977[2]	291,667	13,526	12,529	997
1977	300,024	14,568	13,501	1,067
1978	307,276	12,880	11,717	1,163
1979	314,457	12,987	11,997	990
1980	329,821	13,847	12,758	1,089
1981	368,772	15,605	14,395	1,210

[1]Prisoners with short sentences are defined as those whose maximum sentence is a year or less.
[2]Before 1977 only prisoners in the custody of State and Federal correctional systems were counted. After 1977 all prisoners under the jurisdiction of State and Federal correctional systems were counted. Figures for both custody and jurisdiction are shown for 1977 to facilitate comparisons.

In 1974, the prison population series was expanded to include persons with short sentences, that is, with maximum sentences of a year or less, and persons without sentences (table 2). This group, when added to the "sentenced" group, produces the total number of persons in State and Federal correctional institutions.

Most prisoners with short sentences and without sentences can be found in jurisdictions that operate combined jail-prison systems—Vermont, Rhode Island, Connecticut, Delaware, Alaska, Hawaii, and the District of Columbia. In these jurisdictions, most of the unsentenced prisoners are awaiting trial and the short-sentence prisoners are serving time for lesser offenses. In States where jail and prison systems are not combined, short-sentence and unsentenced prisoners may be held in State facilities for safekeeping, for presentencing evaluation, for medical care, or for a variety of other reasons. In the summer of 1972 some 2,000 unsentenced aliens were held by the Federal Bureau of Prisons for the Immigration and Naturalization Service.

By including a count of the total number of persons in prison while preserving the distinction between "sentenced" (more than a year), "short-sentenced" (a year or less), and "unsentenced," the prison population data present a more complete picture of the physical and fiscal pressures the prison population exerts on the Nation's correctional facilities.[2]

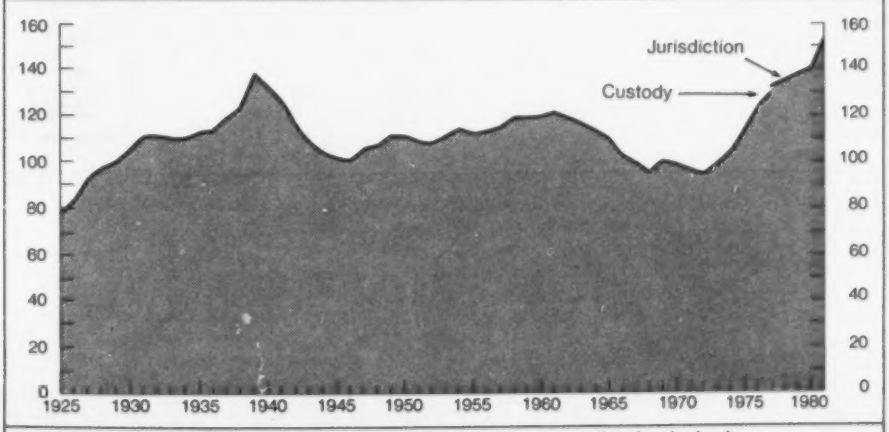
Custody and jurisdiction

In 1977 another change was made to the prison population statistics. Instead of reporting prisoners within their custody, the States were asked to report on prisoners under their jurisdiction. At the time of the change an increase of some 7,000 inmates occurred.

The concept of custody is simply that of physical possession of the prisoner. The concept of jurisdiction focuses on ultimate responsibility for the prisoner. It is common for States to house prisoners from other States or from the Federal system, as well as for the Federal system to house prisoners for the States. This may occur when one State houses the overflow population of another State, although extra bed space in any system has been rare in recent years. Prisoners may also be moved for personal safety or as a temporary response to an emergency. For example, after the 1980 prison riot that severely damaged the New Mexico State Prison, correctional authorities of adjacent States and the Federal Bureau of Prisons accepted New Mexico prisoners for temporary holding. In each of these examples, however, there would be no difference between the number of prisoners measured under the custody concept and number measured under the jurisdiction concept. One prisoner in custody in one State merely becomes one prisoner under the jurisdiction of another State.

The increase of more than 7,000 that occurred in 1977 can be attributed to several sources. The most common was State prisoners housed in local jails, usually due to overcrowding in the State prison system. Other factors included

Number of sentenced State and Federal prisoners per 100,000 U.S. population, 1925 - 81



Note: Prior to 1977, NPS reports were based on the custody population; beginning in 1977, focus is on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Figure 2

[2]Although short-sentenced and unsentenced prisoners are combined in Table 2, they are shown separately in the annual report, Prisoners in State and Federal Institutions.

inmates in hospitals (including mental hospitals) outside the correctional system; inmates on work release or furlough, and Federal prisoners housed in private contract sites.[3] Since the definition was changed in 1977, separate statistics on custody populations have continued to be collected yearly and published in a separate table in the annual report.

Race and ethnicity

Beginning in 1978 prison population statistics were collected by race and ethnicity (table 3). The statistics by race have been reliably reported by all of the States; in 1981 race was not known for less than 2 percent of the inmate population. Ethnicity was more difficult to report. In 1981, eight States could not identify any of their Hispanic inmates and the ethnicity of 20 percent of all inmates could not be determined.

Each of the States is given the opportunity to revise its yearend prison population statistics one year later. Most States make such revisions, so that final statistics for a given year are not available until the preliminary statistics for the subsequent year are published. Yearend population statistics are revised by sentence length, sex, jurisdiction, and custody; they are not revised by race or ethnicity.

[3]For a more detailed discussion of custody and jurisdiction, see Appendix III, Prisoners in State and Federal Institutions on December 31, 1978.

Table 3. Total prison population by race and sex, 1978-81[1]

	Total			Male			Female			Not
	White	Black	Other[2]	White	Black	Other[2]	White	Black	Other[2]	known
1978	157,208	143,376	3,283	151,534	136,893	3,090	5,674	6,483	193	2,735
1979	161,642	145,383	3,677	155,803	138,776	3,468	5,839	6,607	209	3,304
1980	169,274	150,249	3,853	163,083	143,700	3,677	6,191	6,549	176	5,319
1981	190,503	168,129	4,477	183,202	160,442	4,240	7,301	7,687	237	5,663

[1]The numbers in this table add to totals different from those shown in Table 2 because preliminary statistics on race are not subsequently revised.
[2]American Indians, Alaskan Natives, Asians, and Pacific Islanders.

This discussion of historical prison population statistics has focused almost exclusively at the National level. It has not dealt with the changes and irregularities that occurred within the 1925-81 statistics for the individual States. These are documented and can be obtained along with the statistical series for each State from the Bureau of Justice Statistics.

Further reading

To obtain other National Prisoner Statistics reports or to be added to the bulletin and/or corrections mailing lists, write to the National Criminal Justice Reference Service, (301/251-5500), User Services Dept. 2, Box 6000, Rockville, Md. 20850. Other NPS bulletins include—

- Prisoners at Midyear 1982, 10-11/82, NCJ-84875
- Death-row Prisoners 1981, 7/82, NCJ-83191
- Prisons and Prisoners, 1/82, NCJ-80697
- Veterans in Prison, 10/81, NCJ-79232.

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